



NORAD COLLECTED REVIEWS

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LO-Norway's Project Co-Operation with State Enterprises Workers' Relations Confederation (SERC) Thailand

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**LO-Norway's Project Co-Operation with State
Enterprises Workers' Relations Confederation
(SERC) Thailand**

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LO-NORWAY'S PROJECT CO-OPERATION
WITH
STATE ENTERPRISES WORKERS' RELATIONS
CONFEDERATION (SERC) THAILAND

EVALUATION REPORT

August-October 2022

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To all of you I say thank you.

Dr Michael Karanja
External Evaluation Consultant

Executive Summary

Economic statistics indicate that between 2000 and 2011, Thailand reduced poverty by more than 75%, from 42.3% to 10.5%, and in 2014, unemployment was at 0.6%. Private sector workers from various companies, businesses and factories receive protection under the Labour Relations Act, the Labour Protection Act and the various social security laws. Workers in the informal economy lack comprehensive protection by the state, and, in addition, informal sector workers are not strongly organised and, therefore, do not have effective bargaining power¹. The Thai labour movement is weak and small in terms of numbers of trade union members. The Thai Labour Movement is one of the weakest in the world as in a workforce of 39 million, only 614,312 or just 1.6% are members of a trade union². In view of this observation, Thailand has a long way to go in achieving ‘decent work for all’. The greatest percentage of workers in Thailand belong to the informal sector, currently standing at about 60% of the total workers, operating in the agricultural, hotel, restaurant, wholesale, retail, and construction sectors. Formal workers make up only 30% of the workforce, mostly in the private industries and State Enterprise. Informal workers are not covered by the labor laws and as a result they receive unfair or below minimum wages, and no health insurance or social welfare unlike formal sector counterparts. There are also migrant workers, a small proportion of whom are registered but majority entering Thailand and doing work illegally. This category of workers perform work under sub-standard conditions and lack mechanisms to protect them and enable them to truly attain their basic human, social and labour rights.

Public enterprise sector workers, the focus of this assessment, are a group of workers who relatively receive high wages and good welfare services. These workers have developed the capability to organise and negotiate to improve their working conditions. They have strong labour organisations but there are still issues facing them such as privatization and inadequate welfare services for some. The object of this study, the State Enterprises Worker’s Relations Confederation (SERC) has, through the support of LO-Norway been strengthened to address labour issues in state enterprises. SERC consequently has strong governance, holding regular elections every three years. Currently, SERC operations are also spread out across Thailand and there are nine SERC branches, 3 in the North, 3 in the North-East, 3 in the South, and eleven SERC Provincial Coordinating Centres (done in 2019) across Thailand.

The LO-Norway supported project has focused more on capacity enhancement of union leaders to enable them perform their duties of organizing members to join or form trade unions, collective bargaining agreements and women and youth empowerment. The training includes basic trade union education, CBA

Box 1: Key Results that LO-Norway funded SERC project played a key role in/contributed in achieving: Workers Welfare improved

1. Improvement of worker’s welfare including health insurance, retirement package
2. Increased payment for child support and child’s educational tuition fee reimbursement for state workers
3. In 2021, increased payment for medical expenses in the event of injury or illness, cost of funeral in case of death not due to work
4. Inclusion of COVID-19 as ground for payment of Medical Expenses in Case of Emergency Patients
5. In 2019, retirement benefits in the State Enterprise employment sector increased from 300 days paid, to 400 days paid for employees with over 20 years working time
6. Retirement age increased from 50 to 60 years (Telcom)
7. 30-days annual leave increased from 10 days (Telcom)
8. Health care upper limit raised from 1200 to 1500 Bhat per day

¹ Sakdina Chatrakul Na Ayudhya 2020. The Thai Labour Movement: Strength Through Unity Challenges and Recommendations. <https://library.fes.de/pdf-files/bueros/thailand/07563.pdf>

² Sakdina Chatrakul Na Ayudhya (2021). It is time to revise our definition of ‘the labour movement’ in Thailand. Trade, Labour and Social dialogue. <https://asia.fes.de/news/thailand-labour-movement>

and negotiation skill training, gender awareness and trade union leadership and administration, anti-fraud and self-awareness.

SERC has created awareness on CBA tool and built the capacity to SERC affiliates who have in turn used it to improve the welfare, benefits and employment conditions of their members. There are total of 56 state Enterprises. Of these, 49 have trade unions and 44 of the 49 are SERC affiliates. At the beginning of the project in 2017, 28 unions had CBAs out of 44 unions, and 16 had no CBAs. SERC had planned to have 12 more of the SERC affiliates to have new/ revised CBAs. In 2019, there were 19 CBAs were renewed, 13 affiliates preferred to use bipartite consultation, instead of tripartite CBA negotiation, and 9 CBAs were still in use. In 2020, there were 17 renewed CBAs, 12 bipartite agreements, and 14 affiliates were still covered by the previous CBAs. In 2021, there were 10 renewed CBAs, 2 bipartite agreements, and 15 affiliates still covered by the previous CBAs. SERC's plans to craft better CBA by 2023 has not materialized due to the poor economic situation occasioned by COVID-19. Previously, the affiliate members were using bilateral negotiations rather than CBA, but the CBA has an advantage in ensuring protection by labour laws. Some key benefits documented during the assessment include improved staff welfare, regularization, health, maternity, retirement benefits among others (Box 1).

SERC has supported various activities targeting trade union committees and women and youth leaders of SERC affiliates so that more women and youthful leaders can be empowered. These activities include international women's day on March 8th and International Day for Elimination of Violence Against women on November 25th. In addition, SERC has a policy to allocate trade union committee positions to women leaders especially Deputy President of trade unions. Improvements in gender equity in the union leadership is evidenced by the fact that in 2017, there were 6 seats in SERC occupied by women in the 15 to 21-member executive committee. As at April 1, 2022, 8 out of 21 executive committee board members at SERC were women. SERC thus achieved the ratio of 30% women acting as the Executive Committee. SERC also has a policy to enhance youth leadership for SERC affiliates though this is lagging behind. SERC has successfully organized the youth leader committee and they have their own organization structure of youth committee and their responsibilities under the supervision of SERC. This committee should meet on the monthly basis to discuss on the issue of youth concerns. Only 1 seat out of the 15-21 committees was occupied by a youthful leader.

A key result from the Lo-Norway supported project has been the fight against privatization. A civic network was formed to protect state enterprises against privatization law (State Holding Company Act). The network included universities, academics, previous ministers and groups leaders. State enterprises provide efficient public services, necessary for access to social services especially for the poor.

To enhance financial sustainability, SERC affiliates have been moving to the percentage based dues policy, with 2 moving in 2017, making a total of 5 affiliates on a % basis. The same number is retained to date. SERC had planned to move 4 more SERC affiliates in the course of the Lo-Norway project but this has not happened as SERC has not arranged the seminar on Percentage Due System Course due to the bad economic situation resulting from COVID-19 pandemic. Also the movement of percentage dues system this has been flagged as a challenge as local union committees are reluctant to push

**Box 1 Cont..Key Results that LO-Norway funded SERC project played a key role in/contributed in achieving:
Enhanced representation, organizing and protection of workers**

1. Protection of workers through advocacy and litigation e.g. the 13 railway workers
2. SERC members and affiliates able to use CBAs for negotiations
3. Formation of 9 SERC branches across Thailand has decentralized services and made them more effective
4. Stoppage or delay in privatization of state enterprises to protect community assets and services
5. SERC a member of Ministry of Labour tripartite sub-committee on labour relations
6. Supporting training geared towards organizing migrant and domestic workers in the South

the agenda as it is not popular with members. It has become a campaign issue that works against election of proposers.

Overall, SERC is seen as a strong organization and has been selected by the Ministry of labour as union representative to work in the tripartite committee. The program remains relevant as LO-Norway is the main provider of capacity building on labour union knowledge and skills. Furthermore, labour unionism is not taught in education institutions in the country.

An unexpected result is that after the onset of COVID-19, the setback in training was short lived since SERC quickly adapted the training to virtual methods and this has been done successfully during the COVID-19 period.

Key Observations and Recommendations

Observation 1: There is knowledge and skill loss after trained union leaders are replaced during elections, resulting in shortage of skill for negotiations and organization in the SERC affiliates. There is also lack of a structured mentorship program for the upcoming or new union leaders. Language barrier is a key challenge affecting linkages between the local Thai unions and counterparts in Norway as well as participation in International labour conferences.

Observation 2: There is a generation gap in the unions which has been attributed to the state enterprises not having recruited new staff for about a decade now. Even among the few youths available, many have shown disinterest in labour union issues.

Observation 3: Women participation in labour union leadership is still low due to the patriarchal nature of the society and engagement of women in household chores especially women with families and young children, leaving them with little time to engage with other time-consuming issues.

Observation 4: As per SERC policy, affiliate unions need to adopt the percentage dues rather than the fixed rate system. However, there is hesitation by members on the shift from fixed to percentage rates for union dues. This leads to inadequate collection and affects sustainability efforts. Thailand has become a middle income country and this means support from donors is going down. support from NORAD and other development partners is thus expected to reduce as years go by, yet the country still faces a lot of labour issues that need to be addressed through sustainable unions.

Observation 5: Although there is democracy and enhanced governance from the elected officials in affiliates, the SERC has inadequate policies such as gender protection, fraud and finance policies, or do not fully implement what they have, for instance, procurement policies.

Observation 6: Despite efforts against privatization of state enterprises, government is still continuing with the policy through strategies such as sub-division and privatizing portions of the enterprises, resulting in increased costs to community in accessing previously affordable services.

Observation 7: Since SERC, with the LO Cooperation Project, concentrates more on organizing workers in state enterprises, very few workers are reached by unions in Thailand and many workers especially domestic workers, immigrant workers, workers in agriculture lack awareness and a platform to agitate for proper working conditions and environment.

Observation 8: Public State enterprises require cabinet approval for any wage increments and this affects CBA negotiations between the union officials and the direct employer whose hands seem to be tied. Most CBAs are therefore focused on a few other employment issues or conditions other than wages and lacks imagination in order to attract more members especially the youth.

Observation 9: COVID-19 came with a lot of restrictions on public meetings where forums of more than 5 people were prohibited. This affected face to face organizing work and training, most of which is now being

done virtually which is not as effective as face to face engagement. COVID-19 also resulted to a lot of job losses.

Observation 10: The new proposed bills on Labor Relation Act and State Enterprise Labor Relation Act have been contentious and SERC is dissatisfied, leading to the continued delay in the enactment of ILO conventions 87 and 98. This is because Thai Government wants to revise those two bills to be compliant with the ILO Conventions 87, 98, and then ratify the Convention. SERC's opinion on the other hand is that it is not necessary to follow that sequence, Thai Government may ratify the Convention, then start to revise the bills with the collaboration from the labour leaders.

Observation 11: Despite the Social Democratic Party being in existence for over a decade, it has not managed to get a seat in the legislative assembly to represent issues of workers effectively.

Recommendations

1. Sustained capacity building for union leaders: Sustain the capacity building efforts focusing on union leadership, organizing techniques and women and youth leadership. This is because the leadership is dynamic and keeps changing with elections. The new leaders will need training to do their work. It is also important for one to be trained, at least on the basic courses to qualify for election as a leader. English language training for labour leaders through short courses would also greatly contribute to their capacity and enhance external labour union engagements.

2. Re-structuring of training: Review the training theme to enhance it in terms of structure and staffing. - SERC should develop its ladderized education program, from basic trade unionism course to leadership skills training and political education. This will also help members to appreciate the campaign to shift to percentage dues since most of the local unions so far are under fixed dues collection. The team of trainers need to be expanded and availed in all provinces to support capacity building and organizing and advisory work.

3. Strengthening youth and women leaders: Sustain the Young Star program so that the transition from the elderly to the young leader can be smooth. It is critical that a new generation of union workers is built especially the English speakers who have an advantage as they can get opportunities to learn more on unionism through conferences and external study visits. Also continue efforts on supporting women leaders and empowering them.

4. Enhancing mentorship: Develop a structured mentorship program, pairing the experienced and retired union leaders with the young leaders to enhance learning for the young leaders. LO-Norway can also mentor specific union leaders more on how to organize, borrowing from experiences in other countries. Linking sectoral unions in Thailand and Norway would greatly contribute to such mentoring.

5. Focusing on percentage rate union dues: There is need to create more awareness for union leaders and members on the need for sustainability of their unions and thus the need to shift from fixed to percentage rates for union dues. The strategy, already being implemented, is to increase the fixed rate contribution first and then shift to percentage when the amount is almost equal. Some have already realized that their new based fixed dues are almost equal to 1% of wages.

6. Policy development: Support SERC and affiliate unions to develop various policies for organizational development including a sexual harassment policy, antifraud policy among others that are needed or may be requested by the affiliate unions. Union leaders will then need to be trained on implementation of these policies.

7. Enhancing efforts on non-privatization: On privatization, there is need to network more with others so as to obtain the critical mass to obtain back those enterprises that have been privatized, oppose new moves by government and sustain the anti-privatization efforts. The fight should also be evidence based, borrowing from experiences in other countries to show the negative effects of privatization.

8. Organizing informal workers: There is need for SERC to expand and undertake more organizing work with informal workers since they are the majority at 60% and in various sectors in agricultural, hotel, restaurant, wholesale, retail, and construction sectors left out of the union movement.

9. Rethinking CBAs: There is need to rethink CBAs and be more imaginative. It is important for all affiliates to come up with negotiating teams, undertake research on what attracts employees especially youths and develop a list of demands focusing more on the social and economic benefits such as improved employment conditions and staff motivation, and not just salary (examples include shuttle bus, working hours, maternity leave, social leaves, rice subsidy, free products and services that staff produce etc.). Others could be political demands for instance union representation in the company management board. The demands should be more data or evidence based to be factual and convincing.

10: Labour laws: SERC needs to focus and invest more in fast tracking further revision and finalization of the new Labor Relation Act and State Enterprise Labor Relations Act by providing targeted inputs to help the Ministry of Labour deliver a product acceptable by all and proceed to ratify ILO 87 and 98. This is possible since SERC has goodwill from the Ministry.

11. Enhancing political education: There is need to introduce political education for all members of SERC and encourage them to strengthen the Social Democratic Party for future possible representation in the legislature.

1.0 Program Contexts

1.1 Introduction

Thailand has been an independent power since the 13th Century, having never come under foreign domination. Analysts argue that lack of Western influence could have affected the development of trade unions due to lack of a liberal influence, as happened in many countries that were colonized. It is argued that Britain's Labour party for instance had a lot of influence in development of labour unions in Africa. This lack of Western exposure in Thailand has affected the attitude by the ruling elite and the trade unions in Thailand have suffered long periods of repression or lack of comprehension by ruling elites on industrial relations. Due to this history, Thai labour leaders have been considered as outsiders, rebels or communists³.

Thailand's Constitution has provisions that protect the right to form unions and bargain collectively and has several laws to protect workers⁴. However, the government has failed to adopt International Labour Organization (ILO) Conventions 87 and 98, which cover these rights, and its labor law is not in compliance with ILO core labour standards. Thai labour law prohibits nearly 75% of the workforce from freedom of association and the right to collective bargaining. As a result, only 1.5% of Thailand's nearly 40 million workers belong to unions. The government asserts that they want to modify the labor laws in line with the ILO Conventions first, and then to consider ratifying the ILO C. 87 and 98.

The State Enterprise Labour Relations Act, regulates labour relations in "state enterprises", which include both government organizations and companies in which the State owns more than 50% of the share capital. Such enterprises are in effect excluded from the scope of the Labour Relations Act, B.E. 2518 (Legislative Series, 1975-Thai.1). Section 55 stipulates that "the labour unions of state enterprises established under the Labour Relations Act shall cease to exist". Under section 56, the same applies to the Labour Unions Committee and the Employee Committee in state enterprises. Instead, a labour relations committee is to be established in each state enterprise with representatives of the management and "workers' association" of the enterprise. Striking or "any activity in the nature of a strike" is strictly prohibited (sec.19), and although the labour relations committee of an enterprise may examine "complaints", anything involving financial implications must be referred to the State Enterprise Labour Relations Committee, chaired by the Minister of Internal Affairs (sec.6)⁵.

The State enterprise labour relations Act establishes the right to collective bargaining in accordance with regulations and procedures set forth for submission of demand for changes or modifications of the conditions of employment, settlement of labor disputes, establishment of State Enterprise Labor Union for acquiring and protecting benefits for State Enterprise employment. This law also requires each State Enterprise to establish the state Enterprise Labor Relations Committee, which is a tripartite committee to set the minimum standards of the conditions for employment in State Enterprises. Additionally, the establishment of Labor Relations Affair Committee in each State Enterprises is also mandatory. This is a

³ Arnold Wehmhörer 2007: Trade unionism in Thailand — A new dimension in a modernising society <https://doi.org/10.1080/00472338380000321>. Pages 481-497 | Published online: 15 Jun 2007

⁴ Labour Protection Act (1998), Workmen's Protection Act (1994), Social Security Act (1990), State Enterprises Labour Relations Act (2000), Labour Relations Act (1975), Labour Court and Labour Court Procedure (1979), Thai aid and commercial code, Provident Fund Act (1987), Employment and Job Seekers Protection Act (1985) and Alien Protection Act

⁵ https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=&p_isn=22099

bipartisan committee involving both parties in the discussion and reconciliation of labor issues and disputes with an aim to create positive mutual understanding and peaceful working atmosphere and co-existence between State Enterprises' Management and the employees⁶. SERC, as the worker representatives in the state-owned enterprise, filed the complaint against the draft revision of the State Enterprise Labour Relations Act. This draft was prepared by the Ministry of Labour and was approved by Decree Office; though, there were lot of Articles in the draft that weaken the trade union in the state-owned enterprises. The drafted laws still have some provisions that are against the ILO C.87 and 98.

Thailand has a long way to go in achieving 'decent work for all' as the greatest percentage of workers in Thailand belong to the informal sector, currently standing at about 60% of the total workers, operating in the agricultural, hotel, restaurant, wholesale, retail, and construction sectors. Formal workers make up only 30% of the workforce, mostly in the private industries and State Enterprise. Informal workers are not covered by the labor laws.

For private sector, Thai law allows the establishment of private-sector trade unions, and workers can form and join such unions without prior authorization. However, the enforcement of legal protections for workers' rights is ineffective, and the law does not protect workers from employer reprisals for union activities prior to the registration of the union. This results in the small number of trade unions, where approximately less than 2%, have been formed.

The State Enterprise Labour Relation Act prohibits State Enterprise workers from executing a strike, but workers in the private sector can. Reason is that State Enterprises provide public services, and Thai government fears that such a strike may affect the people in need of the essential services. With the same reason, Thai government prohibits the government officers, civil servants, including teachers, to join and form the unions.

Under Thai labour law, workers in the private sector have the right to form and join unions. But membership and eligibility restrictions undermine this right. Despite the ban on anti-union discrimination, employers frequently dismiss workers who are trying to form unions, and the courts often take the side of employers.

The State Enterprises Labor Relations Act prevents formal relationships between state- enterprise unions and private-sector unions, effectively splitting the labor movement. However, they have a strong informal relationship under the Thai Labor Solidarity Committee. Brother Savit Kaewvarn, the representative from SERC, was newly elected as the president of the Thailand Labor Solidarity Committee (TLSA).

Migrant workers are largely unprotected by Thai labour laws. They can join but cannot form the trade union. There are approximately 4-5 million migrant workers but only a few (1-2 million) have documentation to allow them to work. The Ministry of Labor requires foreign workers to renew their temporary work status annually. Almost two-thirds of employed workers operate informally and are not protected under labor laws. Despite all these, since 2000, Thailand has made great strides in providing people with better access to fuller social protection, and more than 99% of people are covered by health insurance. Between 2000 and 2011, Thailand reduced poverty by more than 75% , from 42.3% to 10.5%, and in 2014, unemployment was 0.6%⁷.

⁶ <http://www.panwagroup.net/business/index2.html>

⁷ <https://www.solidaritycenter.org/where-we-work/asia/thailand/>

According to respondents conducted with a senior retired SERC leader, trade unionism in the country has deteriorated. This scenario is due to factors including COVID-19, lack of knowledge by the current leaders on economy and labour issues, competition in the labour union market, increased individualism and unwillingness of the current leaders to fight for society and lack of use of international standards during negotiations.

1.2 Background on LO Norway and SERC

The Norwegian Confederation of Trade Unions (LO-Norway) is the largest Trade Union organization in Norway, representing more than 930,000 members. LO is working with trade union partners in around 20 countries and entered into a new project agreement period with partners from 2019-2023. Evaluations are deployed regularly by LO to ensure continuous learning and improvement and to document higher level results of LO and partners' work.

In Thailand, LO Norway is working with State Enterprises Workers' Relations Confederation (SERC), a Thai labor organization, representing 44 trade unions, with 164,035 members from state owned enterprises and private companies (per 31 December 2017). In 2015-2018 program period, LO Norway supported SERC with a program whose overall goal was “The unions in Thailand are influential and human rights, trade union rights and social justice are respected”.

In 2019, LO-Norway and SERC entered into a new five-year program agreement with the overall development goal: "SERC has contributed to decent work for workers in Thailand". The project emphasis is on strengthening SERC's capacity to organize workers, strengthening the work with collective bargaining and social dialogue and advocating for policy changes.

1.3 Overview of the Evaluation Task

The aim of the task was to evaluate the LO-Norway – SERC project cooperation period 2015-2018 and the current one 2019-2023. Thus, the evaluation included the two project periods, but the objectives and many of the activities are quite similar.

The evaluation looked into the following areas:

- Project management and coordination
- Internal governance structures
- Organizational and financial sustainability
- Gender equality
- Achievement of results from the 2015-2018 and 2019-2023 project

The evaluation assessed progress for SERC in its endeavor to continue to restructure its reorganization until it attains the overall objectives of its cooperation of defending worker's rights in public and private sectors i.e.;

- Restructuring of the unions dues from fixed based system to percentage-based dues structure
- Recruitment of more affiliates and union members
- Campaign against privatization of state enterprises especially the utilities companies, transportation, communication and postal service
- Get Thai Government to ratify ILO 87 and 98
- Development of effective gender program

The main purpose of the evaluation was to contribute to further development and project improvement and learning in SERC and LO-Norway. In particular, the evaluation was meant to contribute to further

development and project improvement and learning in SERC and LO-Norway. The findings and recommendations will be used to inform the development of a new project proposal after the current cooperation project ends in 2023.

1.4 Objectives of the Evaluation

The objectives of the evaluation were as follows;

- To assess progress made towards achievement of the 2019-2023 project goals and achievements of the 2015-2018 project goals.
- Identify good practices and recommendations for future project cooperation SERC-LO. More specifically, have lessons learnt from the 2015-2018 project been incorporated in the 2019-2023 project?
- Assess added value of LO-Norway to the project and towards SERC.
- Assess SERC's systems for financial management and whistle-blowing and the implementation of these systems.
- Assess the internal governance structures of SERC in areas of internal democracy, ownership, financial management and accountability among its leadership, secretariat and affiliated unions.
- Assess the staff of SERC's capacity, skills and internal organizing for implementing the project cooperation.
- Assess SERC's financial sustainability with a particular focus on improving the economic independence.
- Assess to what extent affiliates' needs and priorities are reflected in SERC's work
- Assess to what extent cross cutting issues (women's rights and gender equality, anti-corruption, environment and human rights) have been considered in the project.

The evaluation was conducted at organizational level with LO's partner in Thailand – State Enterprises Workers Relations Confederation (SERC). The evaluation was conducted by an external consultant and observed by an LO-partner from Philippines. Two LO staff (one regional consultant and one adviser based in Oslo) were also in the mission but did not sit in the interviews. The main responsibility of the Consultant was to lead the evaluation team and write the report. The evaluation was carried out in SERC's offices, its affiliates and the Ministry of Labour offices.

2.0 Methodology

2.1 Evaluation Design

The evaluator employed qualitative research design to undertake the evaluation of the project. Thus, the data collection, analysis and presentation was mainly qualitative, save for document review that generated some quantitative data. There was desk review of project documents, field work that involved interviews with SERC's elected leadership and staff, selected affiliated unions and other key stakeholders and beneficiaries including the Ministry of Labour, SDP party founder and the SERC's auditors. It also involved observation of ongoing training; focus group discussions with trainees selected from various training activities and peer review. The staff of LO Norway and the LO Regional Consultant were also interviewed.

2.2 OECD DAC Criteria Approach

The study followed the Organization for Economic Development Committee (OECD) approach. OECD came up with a Development Assistance Criteria (DAC) to harmonize evaluation of projects. These criteria include i) Efficiency: This is the productivity in project implementation. It is the degree to which inputs have

been converted into outputs including the cost element; ii) Effectiveness: This is the degree to which the project purpose has been achieved by the project outputs; iii) Impact: These are positive and negative changes produced, directly or indirectly, as a result of the implementation of the project; iv) Relevance: This is the validity of the overall goal and project purpose at the evaluation stage; v) Sustainability: This is the durability of the benefits and development effects produced by the project after its completion.

As minimum criteria, LO Norway's international department applies the OECD DAC criteria⁸ for evaluations. These criteria with their below questions were answered and reflected on in the evaluation.

2.3 Data Collection

Desk Review: A thorough desk review was carried out on project documents including the signed cooperation document between LO-Norway and SERC, Results Frameworks, annual reports, budgets, SERC internal policies, audit reports and management letters.

Structured Interviews: The researcher interviewed several stakeholders who were involved in the project including staff of LO Norway and LO regional consultant; SERC elected leadership including general secretary, women leaders and youth leaders; staff including the project manager, project manager assistant, finance officer, institutional affairs officer; representatives of six affiliated unions, representative from the Ministry of Labour, an SDP party founder and the SERC auditors.

Focus Group Discussions: Beneficiary groups were engaged in focus group discussions during the evaluation process. This included SERC elected leadership and staff and selected participants from various training activities. Plenary discussions and peer review were used to generate data. This discussion served to verify the outcomes and impacts of the project, their concerns and recommendations.

Observations: The evaluator observed (as a participant) live training activity (an antifraud workshop facilitated by the facilitated by the LO Regional Consultant (Asia) and the Project Manager of SERC-LO Norway Cooperation Program. He also observed a SERC affiliate Board meeting from the National Telecommunication of Thailand.

3.0 Presentation of findings

The key research questions paraphrased from the objectives are as follows:

- What progress has been made towards achievement of the 2015-2018 project goals and achievements of the 2019-2023 project goals.
- What are some of the good practices and recommendations for future project cooperation between SERC and LO-Norway? More specifically, have lessons learnt from the 2015-2018 project been incorporated in the 2019-2023 project?
- What is the added value of LO-Norway to the project and towards SERC?
- How strong are SERC's systems for financial management and whistle-blowing and the implementation of these systems?
- What is the level of internal governance structures of SERC in areas of internal democracy, ownership, financial management and accountability among its leadership, secretariat and affiliated unions?
- What is the level of SERC's staff capacity, skills and internal organizing for implementing the project cooperation?
- How is SERC's financial sustainability with a particular focus on improving the economic independence.

⁸ <http://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm> .
<http://www.oecd.org/dac/evaluation/50584880.pdf>

- To what extent are affiliates' needs and priorities reflected in SERC's work
- To what extent are cross cutting issues (women's rights and gender equality, anti-corruption, environment and human rights) considered in the project.

These research questions form the basis of identification of the key outcomes of the project, the role of the project and significance with regards to achievement of the project's objectives.

3.1 Research Question 1: What progress has been made towards achievement of the 2019-2023 project goals and achievements of the 2015-2018 project goals

3.1.1 SERC 2019-23Project Results

At the impact level, the project has contributed through its advocacy activities to results such as increased payment for child support and child's educational tuition fee reimbursement for state workers, a result that contributes to SDG 5.1.1 "Policies or collective agreements in place to improve gender equality". Also, two announcements by the State Enterprise Labor Relations Committee become effective in 2021 including increased payment for medical expenses in the event of injury or illness, cost of funeral in case of death, not due to work, and inclusion of COVID-19 as ground for payment of medical expenses in case of emergency patients. In 2019, the retirement benefits in the State Enterprise employment sector increased from 300 days paid, to 400 days paid for employees with over 20 years working time.

The project also had 2 high level results namely i) worker's representatives have demanded and defended workers' rights and Trade unions have contributed to policy and/or legal changes.

High Level result 1: This result had 2 indicators. The first indicator was "Number of cases where trade unions have confronted decision-makers over lack of compliance with workers' rights". There are two instances where defense of worker's rights was demonstrated under the first high level result, SERC successfully advocated for suspension if imprisonment term for 13 State Railway Trade Union workers who has been sentenced to prison for leading a labour action against the state enterprise for improvement of safety in the workplace. SERC also successfully intervened in a dispute between employer and the trade union in the Liquor Distillery Organization, one of the state-owned enterprises in Thailand after the Director of Liquor Distillery Organization exercised unfair labour practices by his management power against the trade union. The second indicator under the first high level result was "Number of cases of violations of workers' rights that are solved in court". Under this indicator there are two achievements; i) there is a court verdict on the case against 13 SRUT members and ii) the TOT Public Company has agreed to pay for the damage caused by their misuse the managerial power in undertaking unfair performance auditing, a case which was filed in the Labour Court that the employer illegally violated the employment condition. SERC has contributed to these results through advocacy activities including mobilizing stakeholders including the UN, holding public demos and writing memoranda and giving press conferences to publicize the issue and assert pressure for justice to be seen.

High Level Result 2: The first indicator was "Number of new trade unions' demands incorporated in national labour policies or laws". SERC together with TLSC (Thai Labour Solidarity Committee collected 15 demands from various sectors and jointly presented them to the government representative on May Day 2022. The key highlights on the demands include fair wages to cover workers in all sectors, price regulation of consumer products, stoppage of all forms of privatization of state-owned enterprises, improvement of the national tax structure to reduce national inequality and to create sustainable justice for the Thai people,

reform of the social security system to provide hospital, bank etc., provision of universal welfare services with good quality to all people with equal access without discrimination (Health, Education), ratification of the International Labor Organization (ILO) convention – 87, 98, 183 and 190), abolishment of the policy of limiting the manpower of government officials and state-owned enterprises, cancellation of the policy of limiting welfare benefits of employee and their families, allocation of state budget to hire short-termed contract employees in various government agencies and have a plan to change their status to become government officials, strict enforcement of labour laws, establishment of an investment-risk fund by having employers pay money into the fund to create the assured worker rights protection, development of mechanisms for access to rights and enforcement of the occupational safety and health (OSH) law, abolishment of precarious employment, such as temporary, daily, hourly, employment, and contract work in both state agencies and private companies and implementation of proposals to protect migrant workers' rights. SERC, as the worker representatives in the state-owned enterprise, filed the complaint against the draft revision of the State Enterprise Labour Relations Act.

The second indicator was on adoption of ILO Convention on Domestic Workers No. 189. Not much progress has been made and there is no legislative activity in an attempt to revise the Ministerial Regulation No. 14 (B.E. 2555) of the Ministry of Labour issued under the Labor Protection Act, B.E. 2541 (1998). Thus there is still a huge gap between the ILO Convention No 189 and the Ministerial Regulation No. 14. The slow progress has been due to lack of engagement within the COVID-19 period.

Achievements under Intermediate Outcomes and Outputs 2019-2023

Intermediate Outcome 1: Workers have been Organized

The progress achieved for this intermediate outcome indicators is shown in Table 1.

Table 1: current status of organizing work under the SERC LO-Norway Project

Intermediate Outcome			
Result	Indicator	Actual/Targets	Comments on achievement
1) Workers have been organised	Number of men and women in unions for public workers	Baseline 2019: 164,035 rank-and-file members in 44 SERC affiliates. Men 110,738 Women 53,297; <u>Targets</u> 2022: 8 % increase = 177,556 (34% female and 66% Male) 2023: 10 % increase =181,107 (35% female and 65% Male) <u>Actual:</u> End of 2021 there were 151,096 members, 89,963 males and 61,133 females.	Target was missed by 22,979 which is a reduction from the baseline.
Outputs			
1.1 SERC and affiliates have capacity to organise new members	Number of organisers in organising trained in affiliated unions and SERC	Baseline 4 Target: 24 Actual: 0	Lack of training was due to COVID-19 pandemic in the past 2 years, SERC didn't organize the training course to train the potential leaders

	branches		to become the worker organizers.
1.2 SERC and affiliates have developed recruitment strategy	Recruitment strategy document in place	Target: 5 milestones: T1: Develop strategy. T2: Implement strategy. T3: Improve strategy T4: Evaluate impact of strategy T5: Develop future plans Actual: No strategy yet	Due to the COVID-19 pandemic in the past 2 years, SERC didn't develop the recruitment strategy plan.
1.3 SERC has expanded regionally in Thailand	Number of SERC regional branches and SERC Provincial Coordination Centres.	Baseline: 9 SERC branches Target: 50 SERC Provincial Coordinating Centres Actual: 15 provinces under either with a coordination center or supervised by a neighbouring SERC branch	Provincial Coordination Centers have enhanced ease of access to SERC services

There are total of 56 State Enterprises in Thailand. Of these, 49 have trade unions and 44 of the 49 are SERC affiliates. The project strategy forwarded by the Lo-Norway regional consultant for Asia was for recruiting new members inside the existing unions that are already inside SERC until they reach saturation points. In every state enterprise, they were supposed to determine how many of the total personnel/employees of the enterprise are already members of the union (at what percentage) and how many do not belong to the union / nonunion members (at what percentage). The idea was to set a target to have say 85%-90% of all personnel should become union members.

To attract members to join unions, some affiliates are using innovative ways. For the Electrified Train Union, one has to be a union member before joining the cooperative which come with good benefits. For the Rubber Union, Group Life Insurance and funeral allowance is offered in case of death. Members also have a Members Welfare Fund for health care. Rubber Union has also embraced collective bargaining to have the company consider internal staff first for permanent positions.

SERC has also tried to expand outside of the state enterprises to support disadvantaged groups access labour rights. Using the skills gained from LO Norway capacity building, SERC has also supported organizing of immigrants and domestic workers. For domestic *workers*, SERC has been working with the Foundation for Labour and Employment Promotion, or HomeNet Thailand, as well as the Japan International Labour Foundation-JiLAF to organize capacity building programs for domestic worker in Thailand, both Thai and migrant workers. SERC has built capacities of these groups through three seminars namely,

First, imparting knowledge on;

- 1) *household financial account to manage the efficient household expense;*
- 2) *getting access to the government's public services, such as the Article 40 of the Social Protection Act that was designed to give protection to informal workers, including domestic workers; and*
- 3) *Universal health insurance system provided to all Thai citizens.*

Secondly, SERC arranged the training on the second career so that workers could earn more money from second careers. Finally, SERC promoted the social organizing as cooperative, a tool to help each other when needed for instance when calamities such as fire happen. This was because Thai Labour Relations Act won't allow domestic workers and any other types of informal workers form the unions.

SERC also worked on organizing migrant workers in the fisheries industry and sea food processing sector.

SERC's support for Migrant Workers

Through the Ship-to-Shore Right Project, funded by EU and managed by ILO and Thai Government, SERC was the worker organization in the tripartite committee to combat unacceptable forms of work in the Thai fishing and seafood industries. SERC regularly attended the tripartite committee meeting to solve labour issues in the industries. SERC runs the project to organize the migrant workers in Songkhla Province and Chonburi Province, successfully organizing Myanmar migrant workers in local seafood processing companies in Songkhla Province to establish the Southern Seafood Industry Workers Group (SSWG), reaching about 400 migrant workers from 6 companies. In addition, SERC is also working with ILO on the project called “Safe and Fair Project” to help migrant workers in the construction industries.

SERC planned to achieve increased membership by 10% by 2023 from 164,035 in 2019 but the target was missed by 2,979. This is attributed to the decisions by Thai Government Cabinet to limit the recruitment of new employees 20 years ago to raise the effectiveness and productivity indicator of the state enterprise personnel, resulting in the decreasing rate of state enterprise personnel every year. SERC affiliates have however been doing the worker organizing campaign in the work place every year to recruit new members from new employees, but the number of workforce in the state enterprise is still decreasing due to attrition (retirements, transfers to greener pastures, etc. with no replacement).

However, SERC has spread out to the provinces in order to strengthen SERC to address labour issues in State Enterprises through the support of LO-Norway. Thus SERC has been devolved and now operates in 9 branches and 11 SERC Provincial Coordinating Centres (done in 2019) across Thailand⁹. However, the 2019 plan to have 50 SERC provincial coordinating centres established by 2023 has not progressed beyond the 12 established in 2019 after COVID-19 struck. The project has focused more on capacity enhancement of union leaders across the affiliates to enable them perform their duties of organizing members to join or form trade unions, undertake collective bargaining agreements and empower women and youth. The leaders training includes basic trade union education, CBA and negotiation skill training, Gender Awareness and Sensitivity, mindset development and antifraud. This is important as it makes the leaders more effective and ensure good governance in the unions, attracting more members.

Summary of results achieved in this area include;

- Formation of 9 SERC branches across Thailand has decentralized services and made them more effective
- Supporting training geared towards organizing migrant and domestic workers in the South Protection of workers through advocacy and litigation e.g. the 13 railway workers
- Stoppage or delay in privatization of state enterprises to protect community assets and services
- SERC a member of Ministry of Labour tripartite sub-committee on labour relations

⁹ 1) Roi-Et Province, 2) Mukdahan Province, 3) Amnat-Jareon Province, 4) Yasothon Province, and 5) Sri-Saket Province. These centers are under supervised by SERC branch at Ubon-Ratchathani. 6) Satun Province, 7) Nakhon Si Thammarat Province, 8) Yala Province, 9) Pattani Province, 10) Narathiwat Province and 11) Phatthalung Province. These centers are under supervised by SERC Branch at Hatyai. 12) Uthai Thani Province, 13) Chai Nat Province, 14) Phetchabun Province and 15) Tak Province. These centers are under supervised by SERC Branch at Nakorn Savarn. Thailand has 77 provinces

Restructuring of the unions dues from fixed based system to percentage-based dues structure

SERC had from 2019 planned to conduct awareness seminars to affiliates on the need to shift to the percentage-based system, targeting four more affiliates to shift by 2023. However, this has not been possible due to COVID-19 and the number of state enterprises that use the percentage based system has not changed from the previous funding period¹⁰. SERC has endeavoured to create awareness through training and orientation efforts for union members on the need for sustainability of their unions and thus the need to shift from fixed to percentage rates for union dues. To succeed in this endeavor, the strategy should be to increase the fixed rate first then shift to percentage when the amount is almost equal. The fixed rate membership fee is a fixed rate of about 20 to 60 Bhat per month while percentage rate ranges from 0.1 to 0.5%. Some State Enterprises such as SRUT charge 0.5%. From the interviews, senior members were said not to prefer the percentage rate because they would pay more as their salaries are higher. Many of the senior members are in management. As much as it is feared that union members would resign if rate is changed to percentage basis, this has not been the case. In SRUT for instance, only 50 members out of 9939 members resigned when the rate was pushed to 0.5%. Some unions such as the Labour Union of the Electricity Generating Authority of Thailand have managed to push for the percentage rate of 0.1% with a ceiling of 60 Bhat per month, although this was done during a crisis period during heightened campaigns demos against privatization, when members easily saw the need for more income for the Union.

Table 2: SERC Affiliates on percentage dues collection system

Output	Indicator	Target	Comments
1.4 SERC affiliates have implemented percentage dues system	Number of SERC affiliates have the percentage dues collection system	Baseline 5 affiliates having the percentage due collection system. Target: 4 more from 2019 Actual: None	Since 2020, SERC has not arranged the seminar on Percentage Due System Course due to the bad economic situation resulting from COVID-19 pandemic.

Intermediate Outcome 2: Workers have been bargained collectively through social dialogue

The progress achieved for this outcome result indicators is shown in Table 3.

Table 3: Number of Collective Bargaining Agreements

Intermediate outcome 2	Indicator	Target	Comments
Workers have bargained collectively	New and improved collective bargaining agreements have been signed	Baseline: 28 unions have CBAs out of 44 in 2017 Target: 12 updated CBAs;	Although SERC did not arrange the capacity building training for CBA due to Thai bad economic situation caused by COVID-19

¹⁰ The SERC affiliates using the percentage based system include; 1. The Trade Union of Electricity Generating Authority of Thailand, 2. The trade Union of Dairy Framing Promotion Organization, 3. Provincial Electricity Authority State Enterprise Labour Union, 4. The State Railway Workers' Union of Thailand and 5. Labour Union of Metropolitan Waterworks Authority

through social dialogue		16 new CBAs Actual: 0	pandemic, CBA implementation went on with some results as explained in the narrative below.
	SERC affiliates have improved negotiations skills	Percentage of course participants report enhanced understanding of collective bargaining. Target: 100% Actual: NA	CBA implementation progress realized

Through training, SERC has created awareness for SERC and affiliate leaders on the CBA tool. The affiliates have in turn used it to improve the welfare, benefits and employment conditions of their members. There are total of 56 State Enterprises. Of these, 49 have trade unions and 44 of the 49 are SERC affiliates. Previously, the affiliate members were using bilateral negotiations rather than CBA. The advantage of CBA is protection by labour laws. Some key benefits documented during the evaluation include improved staff welfare, regularization, health, maternity, retirement benefits among others. As of 2022, 28 unions have CBAs out of 44 unions. SERC had planned to have 12 out of the 28 CBAs updated and 16 new CBAs crafted by 2023 but this has not happened due to the poor economic situation occasioned by COVID-19

However, implementation of CBAs has been going on. During an interview with one of the SERC affiliates (Electrified Train Union) working on train maintenance, a respondent said as follows, *'before the trade union, the welfare of workers was bad. We didn't have even drinking water at work and used to work 9 hours'*. He adds that after the union was formed and started bargaining, *'now we have managed to get drinking water, shuttle bus service, reduction in working hours from 9 to 7, with 1-hour lunch break, and free uniform'*.

One key challenge is that public state enterprises have been unable to negotiate for wage increments from their employer, reason being that any wage increments requires cabinet approval. The hands of the direct employer (state enterprise) are thus tied. As a result, most CBAs are therefore focused on other employment issues or conditions other than wages, but according to a respondent, they have not been very creative on their 'other' demands. A Union leader while discussing this issue asserts that the key weakness for CBA process is that affiliates focus on salaries yet there are many social and economic benefits to gain from well researched and structured demands and negotiation process. Affiliate leaders will thus require more awareness to be more creative during their negotiations.

According to a Ministry of Labour respondent, the Ministry is 'not sure of what kind of benefits the workers want or need', confirming that the work on the unions is suboptimal and they need to do more to negotiate for workers. An example is the need to negotiate for a better health insurance package for state enterprise employees when they retire as currently it drops from 28000 Bhat per year to 5000 Bhat per year which is the rate for a common citizen. Using negotiation skills from the training, National Telecommunications Company Affiliate Union is trying to harmonize health care benefits and spouse and parent inclusion.

Another factor hindering negotiations is that employer's financial status has gone low due to COVID-19 impacts and poor economic situation. COVID-19 also came with a lot of restrictions on public meetings where forums of more than 5 people were prohibited. This has affected organizing work and training, most of which is now being held virtually which is not as effective as face to face engagement. COVID-19 has also resulted to job losses.

Despite the drawbacks, SERC members and affiliates are able to use CBAs for negotiations and some key results documented during the evaluation included:

- Improvement of worker’s welfare including health insurance, retirement package
- Increased payment for child support and child’s educational tuition fee reimbursement for state workers
- In 2021, increased payment for medical expenses in the event of injury or illness, cost of funeral in case of death not due to work
- Inclusion of COVID-19 as ground for payment of Medical Expenses in Case of Emergency Patients
- In 2019, retirement benefits in the State Enterprise employment sector increased from 300 days paid, to 400 days paid for employees with over 20 years working time
- Retirement age increased from 50 to 60 years (Telcom)
- 30-days annual leave increased from 10 days (Telcom)
- Health care upper limit raised from 1200 to 1500 Bhat per day

Other impacts are seen arising from interventions during the COVID-19 period. As a result of the rising COVID-19 situation and resultant poor economic conditions, SERC in partnership with Thai labor movement - Thai national labour council successively petitioned the Ministry of Labour and Thai Government allocated state budget to help workers in formal and informal economies. Formal workers were paid 2,500 Baht per persons to add up with compensation that workers received i.e 50% of their wages by law. The Thai government also paid informal workers 5,000 baht per month for 3 months with the condition that they must register online through the website. This however excluded workers in agriculture sector, worker in construction sector and formal workers¹¹

Intermediate Outcome 3: Trade Union committees, women leaders and youth leaders have effectively represented all workers

The progress achieved for intermediate outcome indicators is shown in Table 4.

Table 4: Women and Youth representation in Unions

Immediate Outcome 3	Indicator	Target	Comments
SERC effectively represented workers have all	Number and percentage of women leaders in the local union committees	Baseline 40 Target: 60 (20 new) Actual: 74	74 women leaders representing 31.63% of the leaders in the unions at executive positions (President, vice president, Treasury, Secretary, Registrar, and Vice President in charge of women and youth concerns)
	Number of youth sub-committee members actively participate in local union and SERC activities	Baseline 8 Target: 16 (8 more) Actual: 15 new)	The number of youth leaders is still low due to low membership of youth recruited to the unions

¹¹ SERC Annual Report 2021

Output 3.1 More women are aware of the need for women to present themselves as candidates for leadership positions	Number of women candidates in leadership at different levels	Baseline: 5 Target: 10 Actual: 15 (for president position)	As at April 1, 2022, 8 out of 21 executive committee board members at SERC were women. ¹²
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SERC has supported various activities targeting trade union committees of women and youth leaders of SERC affiliates so that more women and youthful leaders can be empowered. These activities include international women’s day on March 8th and International Day for Elimination of Violence Against women on November 25th. In addition, SERC has a policy to allocate trade union committee positions to women leaders especially Deputy President of trade unions. Substantive changes have been achieved, as in 2017, there were six seats occupied by women out of 15-21 committee members of SERC executive board with 4 women as president of local unions (2017). From Table 5 currently there are 6 women presidents, 18 women vice presidents, 19 in Treasury and 11 each as secretaries and registrars. The vice presidents in charge of women and youth concerns are 9. In 2021 SERC affiliates have a subcommittee on women and also one on youth to share knowledge and leadership. As the SERC secretary general puts it, ‘we have 2 women deputy secretary general out of 5 members of the high level Board’.

SERC also has a policy to enhance youth leadership for SERC affiliates though this is lagging behind. Only 1 seat out of the 15-21 SERC executive committee membership is occupied by a youthful leader.

Table 5: Women representation in union leadership

Positions in trade unions	Numbers of women in charge	% of women
President	6	15.38
Vice President	18	46.15
Treasury	19	48.72
Secretary	11	28.21
Registrar	11	28.21
Vice President in charge of women and youth concerns	9	23.08

In addition, we have in SERC and affiliates 42 women and 53 youth as committee members, while 20 more women committee members and 16 additional youth committee members were targeted for recruitment after 2019, work which is in progress. Currently, there 8 women (38%) in a 21-person membership of the SERC Executive Board Committee which is a good performance.

¹² These include Miss Neeranuch Jitsom, Mrs.Photjane Phusi, Miss Sirinthip Sombutpinyo, Miss Shinanan Teerapornpailin, Miss Suwattana Charengam, Miss Lamyueng Suanboon, Mrs.Porapat Sukcharoen, and Mrs.Wareeporn Chaobangpra

A Young Star program exists to empower youthful union leaders so that the transition from the elderly to the young leaders can be smooth. It is critical that a new generation of union workers is built especially the youthful English speakers who can get opportunities to learn more through conferences and external study visits.

However, youth or the younger generation tend to quit jobs and there is more demand than supply and job stability not playing an important role salary and freedom as observed in enterprises such as the railway. Another respondent said '*welfare issues and benefits cannot be used to motivate youth to join unions*', begging the question what innovative ideas unions need to develop to motivate the youth to join.

3.1.2: 2015-2018 SERC Results

During the project period 2015 to 2018, SERC was able to make progress on the following results:

Restructuring of Unions to percentage based dues

During the period, two affiliates of SERC moved to percentage based dues system from a baseline of 3 affiliates in 2015. The two unions, that agreed to change to percentage are the Worker Union of Provincial Electricity Authority and State Railway Workers Union of Thailand. Some unions did not change to percentage but preferred to add the fixed rate membership dues for instance TOT public company limited that increased dues from 10 Baht to 20 Baht.

Recruitment of more affiliates and union members

The SERC project has helped workers in different sectors organize to improve working conditions for instance workers with precarious work contract in the government agency, such as the Ministry of Public Health, the Office of Social Security, so that they would have capacity to negotiate with the government to improve the worker's benefits; organizing the domestic workers to establish their association, which has the similar structure to the trade union organization; and supporting migrant workers in Thailand. SERC has worked with ILO and also ATUC (ASEAN Trade Union Confederation) for improvement on unacceptable forms of Work with the migrant workers, especially in the fishery and sea food industry. As a key result, the European Union finally announced on January 8 2019 the cancellation of a yellow card issued to Thailand that warns Thailand of illegal fishing and lack of control and reporting (IUU), after Thailand has spent more than four years trying to solve the problem.

Organizing the private sector: In the private sector, the number of workers who can get the benefit of having trade union to act as their representative to negotiate with the employer seems to be low, namely 622,031 workers out of the approximately 10.39 million workers in December 2015. For this reason, SERC in 2015 allocated some budget from LO-supported budget to educate the workers in the Eastern Seaboard understand the worker and trade union rights, and how important to organize the trade union in the working place.

Organizing new State enterprises: SERC helped organize workers in new enterprises. An example is the Botanical Garden Organization which was supported to successfully set up the trade union of Botanical Garden Organization in late of 2015, and on February 8, SERC helped the trade union of Botanical Garden Organization to arrange the 1st Congress of the trade union of Botanical Garden Organization by allocating some budget form LO-supported budget. SERC used this opportunity to discuss with the trade union committee on the issue of how to administrating the trade union of Botanical Garden Organization. To support unions in organizing, SERC developed SERC developed curriculum for training ie. Trade Union and Its Role to Protect the Labour Right Course, and Labour Relations Laws Course. They are disseminated

among SERC affiliates to use as the standard document to capacity build for their members and trade union committee.

Anti-privatization and Trade union mergers: On July 15, 2016, the Office of the Rubber Replanting Aid Fund and the Rubber Organization, the two State Enterprises, were merged together to become the Rubber Authority of Thailand. This is why the number of trade unions in State Enterprise sector was decreased by one. Another merger also happened in the telecommunications companies, TOT and CAT. The mergers have aided in the campaign to stop privatization. SERC managed to temporarily stop the process of legislation of the Bill to Improve Governance and Management of State Enterprise, which actually the Bill for State Enterprise Privatization.

Get Thai Government to ratify ILO 87 and 98

The Thai Government has a Ministry of Labour whose role includes proposing amendments for labour laws, solving labour disputes through dispute labour protection including remedy and compensation for workers, medical, injury indemnity, severance pay when workers retire and enforcing occupation health and safety Act. SERC has worked closely with the Ministry of labour to address worker's rights. The Ministry has been working with SERC in a tripartite committee to improve working conditions in state enterprises. The committee has 5 government representatives, 5 state enterprise representatives, where four of 5 are workers. The committee makes decisions on labour disputes for instance addressing unfair treatment of workers. Some results from SERC's engagement contributed (as part of other union players) to amendment of laws (which benefited all Thai workers) to increase severance pay from 300 to 400 days, increased health care benefits with upper limit increased from 1200 to 1500 bhat per day.

On ILO convention 87 and 98, there has been some progress, albeit slow in the ratification. The government is first amending local laws before ratifying it. The State Enterprises Relations Act is at Cabinet level. SERC, as the worker representatives in the state-owned enterprise, filed the complaint against the draft revision of the State Enterprise Labour Relations Act. This draft was prepared by the Ministry of Labour and was approved by Decree Office; though, there were lot of Articles in the draft that weaken the trade union in the state-owned enterprises.

SERC's inputs for revision of Labour Laws included:

- Demand that Thai Government legislate the laws such as there should be just one Labour Relations Act for all workers, both in private sectors and in the state-owned enterprise.
- The revised Labour Relations Act would comply with the principle of ILO Convention C87, 98, especially on the right to organize and to join workers organizations without interference from government authorities, right to collective bargaining and negotiation and right to strike. Since the legislation process takes time, SERC purpose the Thai Government to ratify the ILO C 87, C98 first then to follow with the laws revision to comply with those two conventions.
- Update the definition of workers and also employers so that short-termed contract workers can join the trade unions in the state enterprises.
- Keep the good practices that are in the original laws but are deleted from the revision version, such as the role of trade union in the state enterprises to protect the state enterprise from the corruption and to protest the ant-privatization in any forms.
- Suggest to have stronger punishment against the employers when they would violate the Articles of the Act.

Development of effective gender program

Women have been trained on ILO 119 on women and gender based violence and ILO 183 on maternity leave. Data collection is going on to assess the extent of gender responsiveness in programming. SERC has gender equality policy to promote women labour leader by assigning the ratio of women in the SERC Board Committee, namely at least 30% of SERC Board Committees must be Women. As evidence of implementation, currently, have 8 women in the 21 member SERC executive committee.

On public issues, because there is no current measures to prevent sexual discrimination, resulting in unfair discrimination by gender. SERC's response, in collaboration with other women's associations have been campaigning the gender equality on the International women's day by submitting the demand letter to the cabinet to identify the country policy to support the gender equality. The National Legislative Assembly promulgated the Gender Equality Act on March 8th 2015 aiming to prevent sexual discrimination. SERC has also been running the campaign for government to ratify ILO 183 on the International women's day

Gender integration issues in unions have also been taken higher after Brother Savit Kaewvarn, the representative from SERC, was elected as the president of the Thailand Labor Solidarity Committee (TLSC) and has promised to bring the SERC policy of at least 30% of Executive Committee for women leaders to use in the TLSC's organizational structure.

Research Question 2: What are some of the good practices and recommendations for future project cooperation SERC-LO. More specifically, have lessons learnt from the 2015-2018 project been incorporated in the 2019-2023 project?

Some key good practices and lessons noted are as follows:

Networking with others and staging demos as a group has been one good practice that SERC has used to get results. Before CAT and TOT merger, the Government had planned to create a subsidiary private company has led to protest led by SERC. SERC organized 4000 protestors that led to a negotiation with government in mid-2019. This was despite martial law prohibiting 5 people gathering. During the protests the protestors also presented a letter to government.

Negotiations that lead to decisions for instance Telecommunications company forming CAT and TOT and merging of two rubber institutions unions for a stronger voice for the worker, successfully negotiating equal working conditions for 80% of employees.

The Rubber Authority worker's union is under the ministry of Agriculture and is in charge of the rubber system in the country. There were three rubber institutions each with a union (Rubber Subsidiary Fund, Rubber Organization and Rubber Institute). Two of the unions merged successfully and have managed to align or harmonize working conditions for 80% of the employees. Some workers in the value chain, those working in the plantations have no contracts so cannot join unions. This is a key gap that SERC needs to work on in the coming period.

On recruitment of members, an incentive strategy for instance by electrified train union whereby one has to be a union member before joining the cooperative attracts members into the union. Others like Rubber Union are using Group Life Insurance or funeral allowance in case of death and Members Welfare Fund for health care. They also have embraced collective bargaining to have the company consider internal staff first for permanent positions.

Use of magazines, Facebook, website, print materials such as caps, jackets and t-shirts is good practice in creating awareness on importance of trade unions especially with COVID-19.

Use of experienced TOTs to undertake training makes the training quite effective as they share practical examples from their experience. They provide a 'strategic way of thinking'. One respondent said *'they taught us about systems to organize and communicate, details we had never heard such as setting up a stage or organizing protests'*.

Participatory learning methods used during training such as sharing experiences, brainstorming solutions and providing free space for expression works well as participants get to know and appreciate each other well to build the comradeship.

A key lesson learnt is that it is easier to convince union members to change to percentage dues during crisis labour period or during heightened campaigns, for instance the Labour Union of the Electricity Generating Authority of Thailand managed to push up for the rate of 0.1% with a ceiling of 60 Bhat per month during heightened campaigns.

Another lesson is that using more academic arguments to back cases, smaller forum meetings and social media rather than physical demonstration work better in fighting for worker's rights especially in military regimes.

Research Question 3: What is the added value of LO-Norway to the project and towards SERC

Apart from financial support, the added value of LO-Norway is clear as they, among other support, provided technical support during the initiation of the training program and curriculum development on the different content areas under trade unionism. Lo-Norway regional consultant for Asia has also been running training courses for SERC before COVID-19 and even during COVID-19 where he held the seminars via Zoom. Lo-Norway also assisted SERC to interpret and implement the NORAD contract.

LO-Norway has also directly supported training in areas such as anti-fraud, corruption, bribery and conflict of interest and provides SERC with the knowledge of the situation of workers in Norway and also some of the success practices that LO strategically uses to help workers in Norway. Currently, LO-Norway is supporting SERC produce a financial manual. However, SERC officials would appreciate more knowledge of CBA activities at the workplace level, at the industry level and at the politic level. SERC could then use these knowledge and examples for deeper training in the CBA course for SERC affiliates.

It would also add value if LO could arrange more international seminars to discuss among LO Norway's partners about the labour issues, for instance the 5th Regional Conference on Labour Migration, at Amman, Jordan, during November 20-21, 2018 that SERC attended. Such conferences offer learning that can be replicated for example in SERC's work with ILO on the migrant issues in Thailand.

Research Question 4: How strong are SERC's systems for financial management and whistleblowing and the implementation of these systems

In terms of financial management, an interview with the auditors of SERC revealed that the organization, like other local organizations as opposed to international organizations, maintains simple but effective finance management procedures. SERC's operations have improved over the years with LO support and now SERC has a procurement policy. According to the auditors, the current financial management system is fit for purpose since SERC is still a small organization without much financial resources. The implementation of the finance management system is ok as confirmed during discussions with SERC auditors in the SERC office and finance officer who took us through the procedures followed.

However, there is room for improvement in the documentation such as improved basis of allocations, agreements for all contracts, updating of agreements when changes happen for instance salary increments. The threshold of 5000 Bhat for petty cash is a bit low and needs to be enhanced.

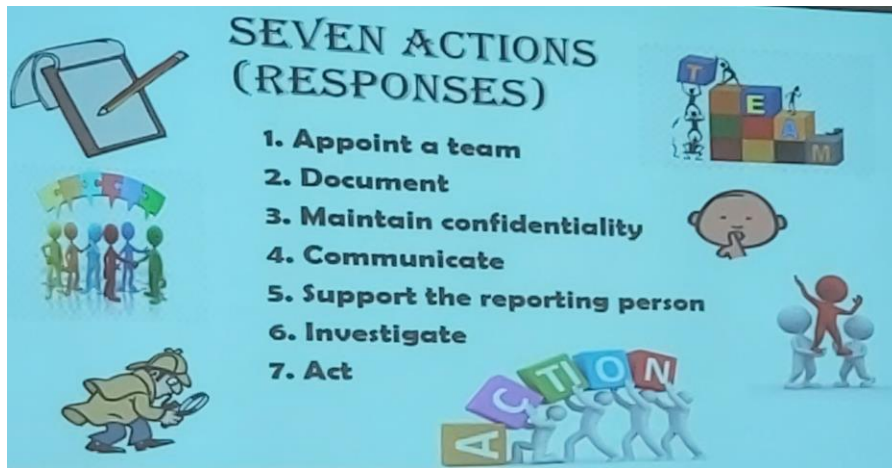


Figure 1: Training session for SERC staff and affiliates on antifraud

Source: Brother Floro Francesco's (LO-Norway Regional Consultant for Asia) training slides

A procurement policy developed with support from LO-Norway has helped streamline procurement procedures. Through the support of the Lo-Norway Regional Consultant, SERC leaders have been trained on anti- corruption and antifraud practices. The regional consultant has been consistent in his push for SERC to run the course, and even volunteered to handle two topics during the training course itself. SERC through support from Lo-Norway and are also in the process of developing a finance procedures manual. If implemented, these policies will enhance SERCs financial operations and trust with donors.

Research Question 5: What is the level of internal governance structures of SERC in areas of internal democracy, ownership, financial management and accountability among its leadership, secretariat and affiliated unions

SERC holds regular elections to ensure democracy within the governance structure. The last elections were held in 31st March 2022 and saw 50% new leaders elected for a period of three years while 50% were retained. The affiliates also hold regular elections to elect their leaders. The fact that the affiliates plan their elections and conduct and proceed to elect the secretary general for SERC as well as the governing structure ensures ownership. Women and youth are represented in the governing bodies, with special seats reserved for them to ensure inclusion.

In terms of financial management, as alluded to above, SERC has effective finance management procedure with efficient cash and cheque storage, handling and documentation of financial transactions to ensure accountability. It was observed that there were good security arrangements for instance cash was kept in a safe. All transactions are recorded in the relevant books and procurement is competitive in most cases. This was a result of a financial monitoring activities done by Lo-Norway and the Regional Consultant where they recommended the acquisition of their safety deposit box, the acquisition of an Accounting System Program, the rationalization of their bank accounts including checks preparation, as well as the review of their procurement procedures and the 3 bid/canvas system. However, as noted earlier, there is need for full

support documentation, improvement of basis of allocations, ensuring all agreements for all contracts that SERC gets into and updating of agreements when changes happen.

Research Question 6: What is the level of SERC's staff capacity, skills and internal organizing for implementing the project cooperation

The staff includes a program manager who takes lead in planning and implementing programmatic activities, a program officer who support the LO-Norway program, a secretary who does the secretarial and operations work and a finance officer. The requirement for bidding in procurement enhances cost saving and efficiency. A finance officer who does the finance management and documentation work checks spending which has to be according to plan and an auditor who checks the books and gives an opinion on the books of accounts ensures accountability.

With support from retired trainers and LO-Norway, the staff provides capacity development on labour laws, trade union management, CBA process and negotiation, gender, positive mindset, fraud detection and anti-corruption training. However, it is questionable if SERC staff without external support have capacity to undertake all these tasks as most of the training is done by one senior staff member. SERC in its results framework of 2019 had targeted to train 24 organizers in order to build capacity to organise new members. However, currently there are only 4 active trainers. This is due to the COVID-19 pandemic in the past 2 years which resulted in SERC not organizing the training course to train the potential leaders to become the worker organizers. SERC didn't have the recruitment strategy either.

Support from the SERC Foundation who fund the salary of some staff also contributes to SERC capacity. Most affiliates indicated that after they were trained, they organized training for other Board members. The training has also enhanced the management of trade unions and made them more inclusive, with participation of women and youth in the leadership.

Research Question 7: How is SERC's financial sustainability with a particular focus on improving the economic independence.

SERC gets its revenue from union dues and from donations provided by development partners. SERC also has an office which is co-owned with SERC Foundation. SERC Foundation is organized by retired SERC leaders. The campaign to have union members pay rates as a percentage rather than a fixed rate is meant to increase the finances available for SERC and thus contribute to sustainability.

During the assessment, SERC was contributing 41.31% of the cost including administration cost and campaign (excluding from LO Project activities). An ITF funder was contributing 26.15% in organizing workers in the public aviation sector while LO-Norway was contributing 32.54% funding mainly training/campaign activities¹³.

¹³ Note: data from SERC Financial Sheet for 2021.

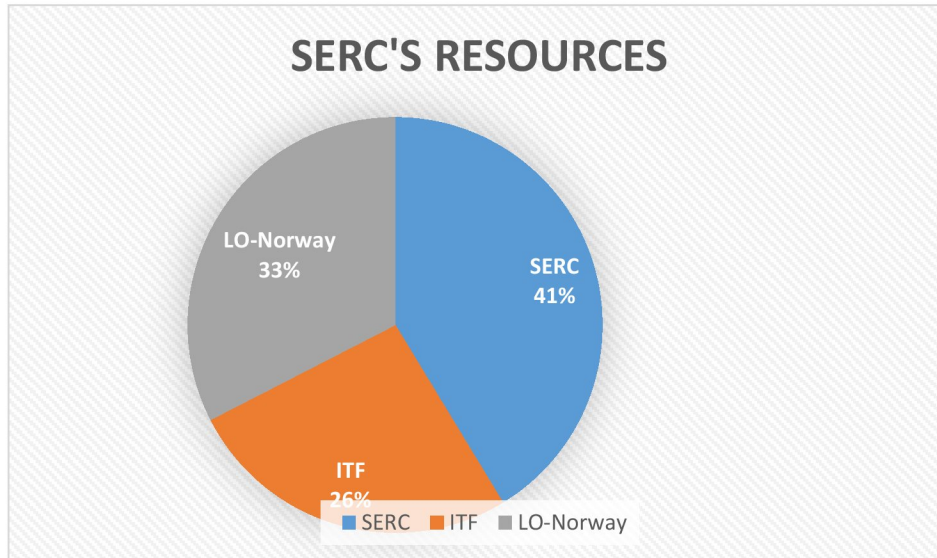


Figure 2: SERC's resource basket 2022

From the chart above, SERC is generating less than 50% of its required sources, raising questions of sustainability in case external partners support comes to an end. It is however important to note that the ITF fund, though supporting SER affiliates is not housed within SERC. If ITF is disregarded from the budget, then the SERC contribution to the basket becomes higher.

Research Question 8: To what extent are affiliates' needs and priorities reflected in SERC's work

Affiliates as members of SERC follow SERC's policies and guidelines. The board members within SERC are from the different affiliates and so present the concerns from their member organizations during the board meetings. SERC's work targets the affiliates for instance training is mostly directed at the members of the affiliate unions. The training is participatory and affiliate members get an opportunity to share experiences and raise concerns from their member organizations which are then addressed during the training.

Members threatened by privatization also organize public protests through SERC as an umbrella body for more impact and response by the government. The Red Line company for instance which is a subsidiary company of the State Railway of Thailand (SRT) has for instance worked with SERC on advocacy to prevent privatization of their company. SERC has passed a resolution opposing the privatization of the Electricity Generating Authority of Thailand (EGAT) whose Union is a SERC affiliate. The EGAT company Labour Union and SERC have presented a memoranda to the Prime Minister to reduce FT costs (cost of fuel mainly gas used for electricity generation which is increasing cost of power and endangering survival of the company as it absorbs high costs of production (in 2021, EGAT absorbed 100 billion Bhat in FT costs, affecting its sustainability).

Establishing links and networks with other unions to share lessons and advocate together is a key enabling factor for the success of advocacy agenda such as anti-privatization of EGAT.

Research Question 9: To what extent are cross cutting issues (women's rights and gender equality, anti-corruption, environment and human rights) considered in the project

SERC has addressed cross cutting issues such as women's rights and gender equality, anti-corruption, environment and human rights through various capacity building sessions and advocacy. On women rights

and gender equality, SERC has been implementing a policy that ensures there is at least a women vice president elected in the committees. The affiliates, through the women vice presidents have gone ahead to advocate for sexual harassment policies in the workplace and increased women recruitment in the unions. In one of the affiliates, a respondents said, *'in our Board we have a female member in charge of women affairs'*. However, this is only one out of 13 board members raising the question of gender equality. SERC affiliates need to follow the example of the SERC Executive Board on gender equity in women leadership.

On human rights, SERC has been on the forefront advocating for the rights of domestic and immigrant workers, training and supporting them to organize and advocating for friendly policies with the Ministry of labour to ensure their protection. A key case where worker's representatives have demanded and defended workers' rights is the State Railway Union of Thailand where 13 union leaders were sacked and later tried in court and sentenced to jail for 4 years for 'causing interruption and damages to the railway company' as they did their Union work, fighting for safety in the workplace. SERC has followed up the case and the sentences and fines were reduced, with the jail term suspended for 2 years as the 13 are monitored by probation officers.

SERC has sought to create a nexus between state enterprises union activities and basic rights in the community through community outreach- For instance SERC has used the Queen's 60 Year old Celebration Community Health Center in the suburban and distance areas around Thailand to introduce the role of the State Enterprise to build and serve public infrastructure services to the Thai people, such as electricity, water pipe, telecommunications, banking, etc. SERC was also using close relations with university - Rangsit University and Campaign for Popular Democracy-CPD, the NGO, to run the campaign on the importance of role of State Enterprise towards Thai economy and society as part of awareness to students in universities.

On environment an example is the clean air campaign to reduce resistant micro particles by one of SERCs affiliates to protect the environment. Youth members are also involved in environmental projects such as tree planting. SERC is also undertaking training on anti-corruption and this was one of the workshops observed during the evaluation period. If the policies and the training content is implemented, SERC will have made great improvement in addressing the cross cutting issues.

Research Question 10: What progress has been made in the restructuring of the unions dues from fixed based system to percentage-based dues structure

To enhance financial sustainability, SERC affiliates have been moving to the percentage-based dues policy, with 2 moving in 2017. Despite the potential this restructuring process could have on enhancement of income and resultant sustainability of affiliate unions, this was flagged as a challenge as local union committees are reluctant to push these agenda. According to key informants, the percentage dues suggestion is not popular with members, more so the senior employees who stand to contribute more to the unions if the percentage formula is applied. However, it is important to note that the senior members stand to benefit more in case of wage increase, and so their argument that they should not contribute more is not valid. The issue of percentage dues system becomes a campaign issue for the elected officials as those who popularize it are likely to be thrown out from Union leadership during elections. SERC has a strategy for implementing the percentage dues but lacks continuity in implementing it. The strategy needs to be implemented slowly and tactfully by first raising awareness with union members on the need for sustainability of their unions and thus the need to shift from fixed to percentage rates for union dues. The fixed rate needs to be increased first before the shift to percentage, with this happening when the amount is almost equal. LO-Norway through the Regional Consultant assisted SERC come up with a primer on the matter in the past. Although SERC has

a strategic plan to implement, with targets to achieve on number of unions raising their flat rates and those adopting the % based union dues, there has been lack of continuity in implementing the plan, an issue that needs to be internally discussed.

Research Question 11: What progress has been made in recruitment of more affiliates and union members

Recruitment takes two forms, one is recruiting more unions to affiliate to SERC and the other recruiting more union members within member affiliates has been problematic since government has not been employing non-union members in state enterprises. It has been observed by the Union leaders that youthful staff are less interested in joining unions. There were 44 trade unions under SRC, with 164,035 members from state owned enterprises and private companies (per 31 December 2017). The number of union members has decreased to 151,096 by end of 2021 due to reasons explained earlier such as COVID-19 and freeze in employment.

Research Question 12: What progress has been made in the Campaign against privatization of state enterprises especially the utilities companies, transportation, communication and postal service

Privatization has been a government policy which is seen by the labour movement as affecting the poor by raising costs of essential services such as water and electricity. SERC has taken lead in the fight against privatization. A civic network was formed to protect state enterprises against privatization law (State Holding Company Act). The network included universities, academics, previous ministers and groups leaders. State enterprises provide efficient public services, necessary for access to social services especially for the poor.

SERC has been fighting privatization especially the utilities companies, transportation, communication and postal service state enterprises using campaigns for the different sectors specifically transport (biggest with Railway, sub way, mass transport, Buses, Ports Authority, Airlines – Thai Airways and Airport Authority); Power, Banking, Telecommunications, Pharmaceutical, Rubber Authority, Plywood Authority, Scientific Institutions, Postal services, Rotary and Housing.



Figure 3: A sticker produced by Railway workers union against privatization of state enterprises

The main reasons for fighting privatization include the loss of jobs due to downsizing, and burdening the public through increased costs of basic services such as electricity. Again, loss of workers can lead to closure of trade unions, hence it is a survival issue. One respondent said *'under the current economy, if the railway is privatized, the tickets will go up'*.

Prevention or delay in privatization has been achieved through stakeholder teamwork, with mobilization by combined team of academia, previous ministers, group leaders of various unions and community members.

Although the government is still coming up with strategies to privatize by setting up subsidiary companies, SERC has managed to stop or delay. An example of the renewed strategies is when State Railway set up electrified railway. The SRUT being a strong union (SERC affiliate) negotiated that the subsidiary company remain 100% state owned and so it still remains a public enterprise. In some cases, the union advocacy strategies have failed, for instance Provincial Water Authority (PWA) set up East Water company to run water in the province. East Water Company is now a private company and PWA has 40% shares. Water prices have consequently gone up. In some cases, government has been unbundling services or ‘splitting’ some functions and privatizing them for instance the Telecom where Government created International Call Company by separating the infrastructure network.

State enterprises such as Electricity Generation Company have over the years led large demonstrations to oppose privatization. The move by SERC and partners has seen privatization of various enterprises *halted or delayed*.

Research Question 13: What progress has been made to get Thai Government to ratify ILO 87 and 98

Despite provisions in Thailand’s Constitution that protects the right to form unions and bargain collectively, the government has failed to adopt International Labour Organization (ILO) Conventions 87 and 98, which cover these rights, and its labor law is not in compliance with ILO core labour standards. In a workforce of 39 million, only 614,312 or just 1.6% are members of a trade union¹⁴. The government asserts that they want to modify the labor laws in line with the ILO Conventions first, and then to consider ratifying the ILO C.87 and 98. At this moment, Thai government has set up the law improvement committee to draft the new Labor Relation Act and State Enterprise Labor Relation Act. Nevertheless, the drafted laws still have some provisions that are against the ILO C.87 and 98. Five years down the line no much change has happened.

SERC has been focusing on Law reform especially 87 and 98 and have presented petitions on the changes have been proposed by the government which the Union deem inadequate to protect the rights of workers. The Ministry however would like to see SERC providing constructive criticism with actual recommended inputs rather than critiquing without providing adequate recommendations on suggested content. There is need for a gaps analysis for 87 and 98 to inform interventions. The country may have no choice but to ratify the conventions if they wish to join Free Trade Agreement with European Union.

Research Question 14: Development of effective gender program

SERC has a strong gender group and has tried to address cross cutting issues such as women’s rights and gender equality. It has addressed women rights and gender equality by organizing and implementing a policy that ensures there is at least a women vice president elected in the committees. There is also a 30% requirement of women in the executive. Currently (2022), at SERC affiliates, 8 out of 38 have women presidents. The affiliates, through the Women vice presidents have gone ahead to advocate for sexual harassment policies in the workplace and empowering more women union members to be more active and to take leadership role. There is need for gender analysis to identify gaps in affiliates for appropriate interventions.

¹⁴ Sakdina Chatrakul Na Ayudhya (2021). It is time to revise our definition of ‘the labour movement’ in Thailand. Trade, Labour and Social dialogue. <https://asia.fes.de/news/thailand-labour-movement>

By 2020, there were 322 males and 163 females who had actively participated in the local Union and LO Cooperation Program activities such as training. This makes 33.6% of the participants from the activities. SERC had planned for 250 women participants as a target for 2023.

4.0 Assessment of Results using the OECD Criteria

4.1 Effectiveness

The goals and objectives of the 2015-2018 and 2019-2023 project phases period were partly achieved. SERC was supported by LO-Norway to ensure the unions in Thailand are influential and human rights, trade union rights and social justice are respected. So far, SERC has led collective bargaining at macro-level and represents worker demands at country level as part of tripartite committees. In the absence of other centres training on labour matters, SERC is a good entry point to learn about labour.

In terms of its core work in leadership training and organizing during the 2019-2023 period, it is observed that the trend went down. SERC’s work which mainly revolves around education and training was badly affected by the COVID-19 pandemic that limited face to face interactions and negatively affected the economy, leading to job losses, poor economic performance hence reduced calls for CBAs focusing on wage increment. Also, the Thai Government Cabinet 20 years ago decided to limit the recruitment of new employees to raise the effectiveness and productivity indicator of the state enterprise personnel, and this resulted in the decreasing rate of state enterprise personnel every year as old members retire or other factors such as resignations, exodus to private sector, privatization to state enterprises or a combination of these factors. Perhaps these reasons explain why despite the efforts by SERC affiliates on organizing campaign in the work place every year to recruit new members from new employees, the number of members is still decreasing.

The figure below shows the trend in number of union members since 2019 which has been decreasing with time.

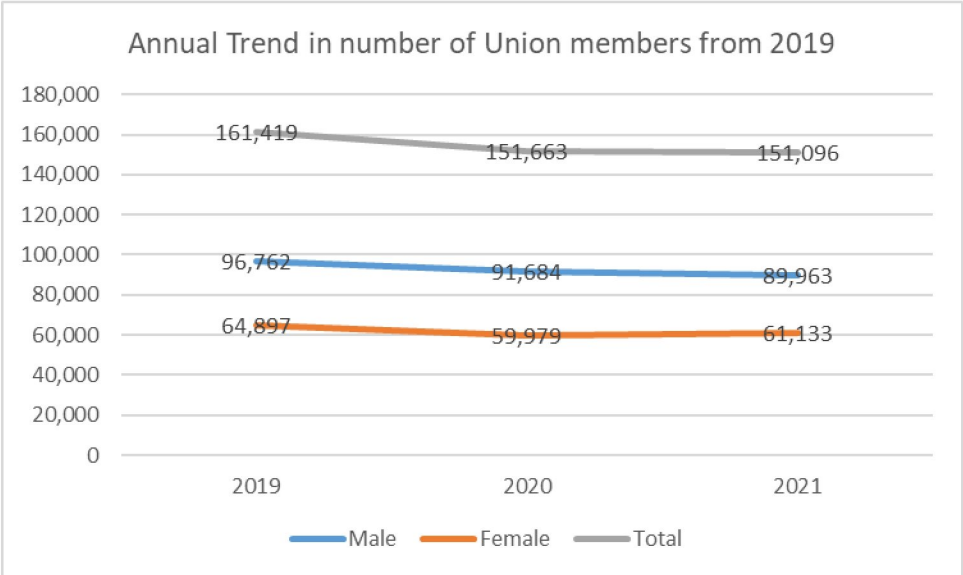


Figure 4: Annual Trend in number of union members from 2019 to current

The overall union membership decreased by 10,323 members which is about 6.4%. The highest decrease was among male employees at 7% compared to women at 5.8%. The project had projected a 10% increment in number of union members by 2023 with an annual progression of 2% but this has been rendered impossible by COVID-19.

On percentage rating for payment union dues, SERC has managed to bring on board 2 out of a target of 5 affiliates to the system (40% achievement). However, fear of losing during union committee elections by pushing unpopular actions has made the progress slow.

On privatization, SERC successfully opposed and managed to delay legislation of the State Enterprise Holding Company Act which would have facilitated privatization of state enterprises. A civil network created to sustain the fight against privatization was short lived due to lack of a long term engagement strategy.

SERC has partially achieved the objectives set for capacity building through training sessions for instance the *Basic Trade Union Training*. The training has been conducted. It was originally 5 days but now 3 days due to cost restrictions. The content is the same but there are lesser practical sessions. The training is the basic training for a union leader. Other courses are the *Basic Trade Union Leadership and Administration Course* and *Collective bargaining course*.

To enhance effectiveness of the training, all the training modules are translated to Thai language making the training effective as all the participants can easily internalize the content. FGD with trainees indicated that methodology of training especially face to face is effective in creating comradeship, essential for linkages and networking and joint organizing. Participatory learning methods during training such as sharing experiences, brainstorming solutions and providing free space for expression work well for participants to know and appreciate each other well to build the comradeship.

Due to face-to-face restrictions, most training is now being done virtually which participants say is not as effective due to limited physical engagement, lack of emotional touch and lack of practical sessions. It is also difficult to monitor concentration on the part of the trainees since they may not be on video, citing connectivity issues. Many members could not join the online platform or took time to adapt. Organizing work also went down due to COVID-19 and no new unions have been mobilized to join SERC since 2019.

One factor hindering effectiveness is the fact that SERC lacks adequate funding to hire legal counsel for workers, in case of conflicts with the employer.

The Ministry of labour considers SERC as effective and has chosen it as the trade union representative, to work in the tripartite committee on the important national concerns, such as the National Project Advisory Committee, the "Ship to Shore Rights Project1": combatting Unacceptable forms of Work in the Thai Fishing and Seafood Industry. Again as an indicator of effectiveness, many groups of public service worker group and private worker sector are confident with the SERC administration, especially worker association and consult SERC to help them to associate their worker organization. However, a Ministry of labour representative felt SERC could do better asserting, *'although SERC has opposed the law on the State Enterprise Relations Act, it has not provided details on which parts of the law needs to be reviewed or changed'*.

4.2 Efficiency

The project has since 2015 shown results which can be linked to the resources provided by LO-Norway. Since COVID-19, training has been conducted through virtual methods. This has led to cost savings since there are no physical workshops, enhancing efficiency in the project, However, there are long gaps between training sessions that affects continuity, a gap that needs to be addressed.

Purchase of inputs used by SERC is done through bidding, providing comparison of costs so that good quality inputs are selected at the lowest price. This practice ensures value for money as goods are obtained from the lowest bidder that offers good quality.

SERC's staffs, the Education Officer, the Financial Officer, and the International Affair Officer, have enough capacity and have helped manage the LO Cooperation Project activities as per the implementation plan, albeit with limitations occasioned by COVID-19.

The programme is maximizing the use of available resources at low or no cost. For example, SERC retirees volunteering to offer training and mentor union leaders thus transferring their skills. The LO-Norway Regional Advisor for Asia is also doing training on his areas of expertise which serves to save costs that could be used to hire trainers in those content areas.

4.3 Relevance

The project is meeting the needs of workers in state enterprises and has contributed immensely in uplifting their working conditions. The program which mainly focuses on knowledge and skill transfer is based on the fact that there are always new leaders coming up and need training to function properly. So far, there is no other available training course on Trade Unionism where leaders can be trained, leaving the LO program to be the only one available.

The Ministry of Labour has recognized the role played by SERC and has enlisted SERC as a member of the tripartite sub-committee on labour relations, thus has worked closely with the Ministry of labour to address worker's rights and to improve working conditions in state enterprises.

From discussions the Union training conducted by SERC has created a sense of brotherhood, sisterhood, comradeship, and this facilitates networking across the affiliates, building solidarity which is a key principle in labour unionism.

There has been a shift from using bilateral negotiations to CBA. As of 2022, 28 unions have CBAs out of 44 unions 2017. CBA have an advantage of protection by labour laws.

Devolution of SERC in 9 branches and 15 provinces has led to wider coverage, thus more protection of worker rights in far flung areas of Thailand. However, although SERC has represented state enterprise workers, there are those left behind who are also the majority such as informal workers who have no contracts.

SERC representation of the labour union movements in tripartite committees with Ministry of Labour has enhanced the protection of workers by representing them in negotiations.

SERC has also increased relevance through increased social inclusion. SERC has prioritized youth and women issues by creating and preserving leadership positions in unions and bringing youth leaders from affiliates to form a 'Youth leader group'. The youth leader group has subsequently been empowered with knowledge and teamwork skills as part of capacity building by SERC. On the other hand, allocation of leadership positions to women has motivated them, Currently, 8 members of the 38 SERC affiliates have women presidents.

4.4 Impact

The impact level indicators included ‘Policies or collective agreements in place to improve gender equality (SDG 5.1.1)’. and increase in compliance of rights to freedom of association and collective bargaining (SDG 8.8.2). The results are still work in progress for instance SERC has submitted memoranda on increase of minimum wages. However, policies or collective agreements are in place that improves social benefits of workers (e.g., paid annual leave, paid maternity leave, sick pay, pensions etc.). There are several impacts, arranged by impact indicators as follows:

Increase in compliance of rights to freedom of association and collective bargaining (SDG 8.8.2). (Also relates to Higher Level Outcome 1: Workers representatives have demanded and defended workers' rights

- SERC has achieved its mandate on protection of union members and ensuring worker rights are respected. A case in point is the release of the 13 members of the State Railway Union of Thailand from prison after being sentenced to 5-year jail term for leading a protest against their employer.
- SERC has achieved a delay in privatization of state enterprises by leading advocacy activities against the State Enterprise Holding Company Act, a fate achieved through mobilization and joint action by academia, previous ministers, group leaders of various unions and community members.
- Inclusion of SERC affiliate members in company leadership committees for instance discipline committee to determine penalty to potential violators. SERC members have also been included in the committee on promotion.

Although not covered by LO indicators which focuses mainly on State Enterprises, SERC has supported organizing of informal workers including housekeepers, motorcycle riders, tuktuk and agricultural workers who have been provided with knowledge on legal issues, social security issues and health care issues. They have also organized migrant workers to understand importance of trade unions (most from Hat Yai province fishing sector along the Coast from Myanmar and Cambodia).

Increase of minimum wages

- Achievement of results for this indicator was jeopardized by poor economic conditions occasioned by COVID-19. Public State enterprises require cabinet approval for any wage increments which has not been forthcoming. However, other benefits related to working conditions such as retirement benefits, annual leave and health care have been achieved as explained below under higher level outcome 2.

Policies or collective agreements in place to improve gender equality (SDG 5.1.1).

- The project has contributed through its advocacy activities to results such as increased payment for child support, a result that contributes to SDG 5.1.1 “Policies or collective agreements in place to improve gender equality.

Policies or collective agreements in place that improves social benefits of workers (Higher Level Outcome 2)

- SERC has contributed to enhanced benefits for workers among other improvement of worker’s welfare including health insurance, retirement package, increased payment for child support and child’s educational tuition fee reimbursement for state workers, increased payment for medical expenses in the event of injury or illness, cost of funeral in case of death not due to work, inclusion of COVID-19 as ground for payment of Medical Expenses in Case of Emergency Patients, retirement benefits in the State Enterprise employment sector increased from 300 days paid, to 400 days paid for employees with over 20 years working time, retirement age increased from 50 to 60

years (Telcom), 30-days annual leave increased from 10 days (Telcom) and health care upper limit raised from 1200 to 1500 Bhat per day.

- Support to Farmers union in submitting a CBA on recruitment of internal employees before considering outsiders. Example is support to Rubber Union on promotion for personnel who have worked for 10 to 20 years. Management has agreed to their demands to have them absorbed.
- On the outcome “Trade unions have contributed to policy and/or legal changes”, SERC, as the worker representatives in the state-owned enterprise, filed the complaint against the draft revision of the State Enterprise Labour Relations Act due to the articles in the draft that weaken the trade union in the state-owned enterprises.

4.5 Sustainability

The sustainability of SERC is assured from the following:

- Large membership who pay dues – either fixed rate of percentage dues collection in order to fund the union activities.
- SERC has in some instances been cost sharing with affiliates in training e.g. during the training on labour law and other capacity building programs. SERC informs all SERC affiliates to pay training/seminar fee with the amount of 500 Baht before attending the programs.
- SERC has together with SERC Foundation its own offices and thus does not pay rental space which is a means to sustain its activities. They are also renting out the conference rooms for seminars and meetings of other organizations, thereby adding some revenues to SERC.
- SERC has several sources of funds including current donors, member fees and other opportunities for income generation. One suggested source is online rice marketing.
- SERC select training facilitators from the trainer pool by matching the training objective with the capacity, experience and mindset of the trainers and choose the best suitable trainers. Sometimes they choose the trainers with good score from the previous course evaluation.
- For the new facilitators, SERC notice their capacity from their participation with SERC training. SERC selects some participants with potential and let request them to be assistants to the trainers in the next training. After SERC feels more confident that they can do it independently. They are left alone to facilitate training.
- Political support is critical for sustainability. SERC supports the Thai Social Democratic Party – TSDP, which was founded on the basis of the People's Alliance for Democracy (PAD) on June 4, 2009 and have Mr. Somsak Kosaisuk as the first party leader. The current party leader for Thai Labour Solidarity Committee, Brother Sawit was also a former SERC General Secretary. Since SERC gives an important role on the CBA policy at the political level, SERC decided to support the TSDP, aiming that the House of Representative would have members from Thai labour movement. SERC support TSDP in following:
 - SERC has a resolution in the yearly SERC Congress to support the TSDP
 - SERC campaigns about TSDP among SERC affiliates’ members to apply for membership of TSDP
 - SERC provide knowledge about the reasons why SERC need to support TSDP
 - SERC campaign to submit the tax form to inform the intention to donate part of tax to TSDP

5.0 Challenges, Lessons Learnt and Recommendations

5.1 Challenges

- COVID-19 and limitation of group meetings to no more than 5 persons affected organizing for trainings. To address the problem, SERC quickly transitioned to Zoom for training. Some affiliates have used symbolism to express demands for instance use of t-shirts with messages against privatization, face book, post it boards etc.
- Language barrier where most union members cannot communicate in English language affects external networking, attending seminars and workshops for cross learning.
- There is inadequate number of youth in unions caused by few young employees and poor attitudes towards unionism by the youth. There is also poor women representation in the union leadership.
- Government policy that encourages privatization, making unions to be at loggerheads with the government on that issue.
- Thailand become an upper middle-income economy in 2011. The promotion has made it difficult to access or justify donor funding, including from NORAD. This has also resulted in low capacity of LO Norway to support program due to budget cuts.
- Thai culture abhors questioning authorities and the elderly which does not augur well with trade unionism that encourages a lot of questioning and having parallel views with the authorities.
- Union members have had negative attitudes towards percentage rate dues payment as they think they will be deducted more money from their salaries compared to the fixed rate.
- There has been slow progress of labour laws and disagreements between the labour ministry and unions on the same.
- Lack of union coverage for informal workers who form the majority of workers in Thailand.
- A lot of retirements with no replacements since the freezing of employment by state enterprises during the last 20 years, affecting recruitment to trade unions. There is also loss of skills as experienced union members retire.
- Labour laws exclude a lot of workers from joining trade unions for instance civil servants, teachers and the military.
- Workers fear engaging in unions or organizing due to conflicts with management, loss of jobs, unions being seen as violent and lack of awareness by workers on importance of trade unions.
- The project results framework that is reported on is complex and long with too many annexes.
- A lot of activities compared to the time available, thus unable to achieve targets.

5.2 Lessons Learnt

Programmatic lessons

- It is important to use knowledge as entry point for organizing in order to enhance coverage of organizing
- Devolution of SERC to the regions and provinces has led to more organizing in the counties and reaching the unreached
- Visibility of SERC has led to recognition by the government and inclusion in tripartite committees
- Quick adaptation and use of virtual training methods when face to face engagement was no longer possible
- Creation of senior positions for women union leaders has helped bridge the gender gap that was originally eminent

- Without adequate legal and policy tools, it is difficult to organize workers especially informal workers or uncovered civil servants
- Regular elections lead to more democratic institutions and strengthen unions
- Youth learning global languages such as English is an enabling factor for union institutional development
- Wide engagement and mobilization of stakeholders towards a cause is necessary for its success. Community support is key for advocacy success by unions
- Unions remaining united despite internal divisions is key for their survival
- Formation of foundations is a good strategy for fund raising and institutional sustainability
- CBAs need not just focus on wages but also social and political benefits
- In absence of appropriate labour laws, the Constitution that provides the right of association is a good source of authority for organizing workers (example the Trade Union for State employees of Thailand)
- Thorough research and informed contributions are key when proposing changes to policies or laws to state departments
- Collaborative engagement with the ministry of labour rather than broad opposition and demands can be more effective in achieving results

Finance and Operational Lessons

- Support from LO-Norway staff and the auditors has led to improved financial management over time
- Thailand being classified as an upper middle income country led to reduction in financial aid support and this calls for enhanced internal sustainability measures
- Policies and manuals on financial management, anti-fraud and procurement are key for ensuring ethical insurance practices

5.3 Conclusions

- SERC's governance is well structured and democratic and has gone a long way in ensuring gender equity. The staff structure and management systems in place are fit for purpose, given the size of the organization. However, there is need for adequate implementation of audit recommendations such as ensuring adequate documentation in procurement and development of other missing guidelines such as finance manuals.
- SERC has structures to enhance youth and women union leadership and have conducted leadership trainings for them.
- SERC local unions have experienced unification/merger to resist the threat of privatization, which is quite remarkable.
- Although COVID-19 affected recruitment and organizing activities due to stopping of face to face activities, SERC still continued with education programmes through online programmes, thus successfully adapting to the adverse situation.
- Freezing of employment by state enterprises has affected the number of youth employed in state enterprises and thus the number of young union members. Low interest by youths in joining unions also complicates the situation

- Most unions have collective bargaining agreements (CBAs). However, it should be noted that the unions lack adequate creativity on benefits or improvements to pursue for their members in the workplace
- Capacity building is key for strengthening capacity of labour leaders and ensure effective implementation of programmes. With elections, there is attrition of trained leaders, thus the need for continuous capacity building.
- There is inadequate mentoring and capacity strengthening of upcoming union leaders, whether internal or from international partners in Norway
- Revision of labour laws has been a slow process and the final form seem to lack consensus, yet they are critical for the country to enact the ILO conventions
- Current resources available to the confederation are inadequate. The dues the affiliates contribute to the Confederation is quite low compared to the expenditure of the confederation in undertaking all the national campaigns and debates and the concomitant costs of all campaigns at the national level. The union dues structure in terms of sharing from the local unions to the national union thus need a follow-up review. Most external funding is also short term and unable to address strategic issues

5.4 Recommendations

Recruitment and Organizing

- SERC should try more innovative new strategies for member recruitment especially the young employees such as negotiating for employment conditions or benefits attractive to the youth who dislike the traditional employment such as full time work in offices. SERC can undertake more research is needed on these, as youths are not just attracted by the salary alone.
- More cross learning and advocacy for replication across SERC affiliates of strategies that work to attract union member's innovative ways, for instance the Electrified Train union requirement for one to be a union member before joining the cooperative which come with good benefits or the one for the Rubber Union where Group Life Insurance and funeral allowance is offered to members.
 - SERC should intensify outreach to recruit and commit more members within the state enterprises who are members of SERC as well as those who are not members of SERC. Also collect data to track progress towards the SERC target of 85%-90% of all personnel should become union members as discussed with the LO regional consultant for Asia.
 - More efforts are needed to campaign against privatization and organize informal workers including domestic workers and immigrants for decent jobs

Training/Capacity building

- There is need for SERC to continue training to build leadership skills for new union leaders who come in with elections. SERC should develop a new crop of trainers to replace those retiring and provide opportunities for former leaders to pass knowledge to new members
- SERC should develop its ladderized education program, from basic trade unionism course to leadership skills training and political education. This will also help the members to appreciate the campaign to shift to percentage dues since most of the local unions so far are under fixed dues collection.
- SERC should develop structured mentoring opportunities for new leaders, both by the older SERC leaders and external mentors including LO-Norway

- There is need for SERC to follow up on impacts of training to justify the costs incurred
- SERC should improve training experiences using videos, online materials and case studies from other countries
- Have more practical in addition to the theoretical training approaches
- Need for more consistent training with short periods between sessions, rather than the long periods in between as is the situation currently
- Mental health support and positive mindset training for union leaders as they always conflict with their employers as they undertake union work
- Include in the training coping methods with the changing dynamics such as climate change, wars, diseases, floods, hurricanes, new innovations and technologies, automation, outsourcing and worker replacement, etc. that affect employer/worker relations
- Have some more training on public speaking for union leaders
- Have training on personal finance management and income diversification, considering the harsh economic conditions.
- Need for affiliate members to develop an action plan after training committing on changes or benefits to pursue in CBAs
- SERC secretariat needs to visit affiliate members more (since affiliates are too committed with union meetings and work to afford any time to visit SERC)
- More English language support to union members to ease communication with international friends and access consequent learning opportunities

Legislation

- Undertake a gap analysis on labour laws for informed engagement with the Ministry of labour
- Push for ratification of ILO Conventions 87, 98, 183 and 190.
- SERC should work with other labour movements and community to continue to sustain its Anti-Privatization Campaign

Jump start legislative activity concerning the revision of the Ministerial Regulation No. 14 and also the ILO Convention on Domestic Workers No 189.

Partnerships

- Strengthen internal partnerships and cross learning among SERC affiliate members e.g. plan more workshops for strengthening the youth leaders
- SERC should have more constant engagement with LO-Norway for mentorship
- Need to create sector labour partnerships with unions in Norway
- SERC should plan exchange visits to learn about unions in the Philippines and Norway

Funding

- When developing funding proposals, SERC should advocate for longer term funding for SERC programs to handle strategic issues
- SERC should continue awareness creation with affiliates on need for adequate funding for union activities – thus the importance of the percentage rate for union dues

Annex 1: Tools

SERC Staff

1. Give a short description of activities you conducted to achieve the goal of the project; defend worker's rights in public and private sectors (previous and current projects)
 2. The 2015-2018 project was to contribute to restructuring of the current union dues structure from fixed based system to percentage-based dues structure. To what extent has this happened? What are they key changes/policies/practices at SERC that have happened? Probe for high level outcomes including policy changes, pronouncements, actions by authorities, mergers, affiliations. How has the project contributed? (Specific details on what, when, where) required here
 - How many more members are paying union dues? How has this happened?
 - What is the percentage rise in amounts of union dues paid?
 - Is there a manual to explain benefits of paying dues? Has training been conducted?
 - What is the situation of each affiliate?
 3. The project overall aimed at contributing to a unified Thai labor movement that is able to sustain its historic mission to alter the oppressive structures of society by recruiting more affiliates and union members. To what extent has this happened and how have you contributed to this?
 - How many more unions were formed with LO support?
 - Is there a civil network formed to protect state enterprises? Describe
 - How many people (trainers) were trained in organizing?
 - How many organizing meetings were held?
 - What have been the risks and how were they mitigated?
 - What about the labour relations laws in relation to government officials as union workers? How was this circumvented?
 4. SERC was to campaign against privatization of state enterprises especially the utilities companies, transportation, communication and postal services. To what extent has this happened? How has the project contributed? (specific details on what, when, where) required here)
 5. What progress was made under the following 2015-18 planned results and what factors enabled or hindered their achievement?
 - Thai government ratification of ILO 87 and 98
 - Development of an effective gender program
 - Principles of transparency and accountability are upheld
 - SERC's leadership is deepened through capacity building and skills training
 - Promotion of women's rights
 - Encourage women and young members to participate in trade union activities and decision-making structures (number of women in leadership in SERC and SERC affiliates has increased; capacity building of women in topics of women rights and gender equality; course of gender equality)
- On each what was the role of the project
6. The 2019-2023 project aims at promoting decent work. Comment on progress on:

- Policies or collective agreements to improve gender equality
 - Increase in compliance of rights to freedom of association and collective bargaining
 - Increase in minimum wages
 - Policies or collective agreements that improves social benefits of workers (e.g. paid annual leave, paid maternity leave, sick pay, pensions etc.)
 - Instances where workers' representatives have demanded and defended workers' rights
 - Trade unions contributing to policies/legal changes
 - Workers have been organized
 - Workers have bargained collectively through social dialogue
 - SERC is effectively representing all workers (including women, youth, PWDS)
7. What is the organizational structure of SERC? (get a copy if possible). Is it fit for purpose? Give reasons
 8. What are the internal democratic practices at SERC and the affiliate trade unions? What has been the role of the project in promoting democratic practices? How has these been expanded to the general public?
 9. How has the project built SERC's strength and capacity for effective service delivery?
 - Signing of effective CBAs: how many?
 - Creating leaflet of benefit of CBA?
 - CBA trainings?
 - CBA plans among affiliates?
 - Meetings with leaders to discuss CBAs
 - Unions elected leaders with improved skills to fight for worker's rights
 - Training of trainers (to train affiliates)
 - Strategy meeting for top leaders of affiliates
 10. What are the key governance issues at SERC and how are they being addressed? How has the project contributed to enhanced governance at SERC?
 11. What were the key issues in project management – staffing, implementing the work plan, achieving results, collecting required indicator data, reporting to LO, monitoring and evaluation, adaptive management, finance management (and audits), collaboration with LO
 12. What are the Strengths, Weaknesses, Opportunities and Threats of SERC?
 13. How have women and youth issues been integrated in the project?
 14. How sustainable is SERC? Give reasons. How has the project contributed to the sustainability?
 15. How has the coordination of the project worked? Between staff, union affiliates, with LO?
 16. Who are the other funders in SERC and what has been the role of each? What are the results from these other interventions?
 17. Apart from financial support, what else has LO- Norway done in supporting SERC?
 18. What lessons were learnt in Phase 1 (2015-2018) that can be used to improve decent work for workers in Thailand in phase 2?

SERC Elected Leaders

1. Tell me about your role in SERC, when and how you were elected as a leader.
2. What can you say about the democratic practices in SERC?

3. What is the trend of trade unionism and protection of worker's rights in Thailand? What factors are contributing to the trend (either enabling/hampering)
4. The project overall aimed at contributing to unions in Thailand that are influential and ensure human rights, trade union rights and social justice are respected. To what extent has this happened as a result of the LO funded project?
5. What are the main strengths and gaps within the labour laws governing the labour sector?
6. What have been the key achievements by trade unions in enhancing worker's rights in Thailand? What about SERC in particular?

Affiliate Union Staff

1. What is the name of your union? What is your sector?
2. When did you become affiliate members of SERC and why?
3. What benefits have you enjoyed by being affiliate members of SERC?
4. What changes in labour have you observed/witnessed as a result of SERC activities in the last five years? How did they come about? (specifics required)
5. Have you attended training with SERC? When and on what?
6. What was the most important thing you were trained/capacity built on and how have you used the knowledge and skills?
 - Probe on CBAs, negotiations, renewal, improvement,
 - Movement to percentage dues
7. What can be improved in the training?
8. Are you affiliated to any LO partner in Norway? What support do you receive from the affiliation?

Ministry of Labour

1. What is the role of the Ministry of Labour on labour issues?
2. What are the key governing laws on labour? Are they sufficient/fit for purpose?
3. What is the state of enactment of ILO 87 and 98?
4. How has the ministry worked together with SERC to address issues of worker's rights?
5. What have been the achievements of Ministry cooperation with SERC so far?
6. 60% of workers are in the informal sector and not protected by labour laws. What has/is being done by the Ministry to enhance their protection?
7. What factors enable/hinder the work of the Ministry regarding welfare of workers?
8. What are the current gaps in labour and how are they being addressed?
9. What can SERC do better/change to enhance the improvement in its role to enhance the welfare of workers

Employers

1. You have a union for your employees? When was this started?
2. What cadre of employees are unionisable?
3. What are the benefits and challenges of having a union for employees?
4. Have you had worker related discussions with the union? Tripartite? On what matters? With what results (e.g. any CNAs, CBAs)
5. What challenges are you facing as an employer with regards to workers' issues?
6. What are the key governing laws on labour? Are they sufficient/fit for purpose?
7. What has been the role of SERC in the union?

8. What can SERC do better/change to enhance the improvement in its role to enhance the welfare of workers?

Trade Union Solidarity Support Organization Official e.g. Ex Minister, University Academics

1. Tell me about your Solidarity support organization. What are your roles and what support do you give to trade unions?
2. When did you start working with trade unions in Thailand and what have been your achievements so far?
3. How have you worked together with SERC and with what results? (for civil network members probe on the campaigns against legislation to privatize state enterprises)
4. What is the trend of trade unionism and protection of worker's rights in Thailand? What factors are contributing to the trend (either enabling/hampering)

Staff of LO Norway and LO Regional Consultant

1. Apart from financial support, what other activities has LO undertaken as value add to SERC.
2. What are the outcomes of these additional LO support activities?
3. Which LO affiliates in Norway are supporting affiliates in Thailand? What strategies are they using to support and with what results?

Women and Youth Leaders in SERC and Affiliates

1. What is your leadership position in SERC/Affiliate?
2. What percentage of top leadership in your union are i) women, ii) youth?
3. What factors hinder women and youth from acquiring top leadership positions in SERC?
4. What activities are being conducted through SERC to enhance women and youth leadership?
5. Are more/less women and youth becoming union members? What factors are contributing to this scenario?

Member of Legislative Assembly (to confirm)

1. Tell me about your legislative duties. What are your roles and what support have you provided to trade unions?
2. What have been the achievements as regards labour legislation for decent work so far? (probe also on gender friendly policies/laws)
3. How have you worked together with SERC and with what results? (probe on advocacy as regards labour laws)
4. What is the trend of trade unionism and protection of worker's rights in Thailand? What factors are contributing to the trend (either enabling/hampering)

SERC Auditors

1. You have been auditing SERC for several years. How can you describe the financial management of SERC?
2. Have you identified audit issues that needed to be improved on? If yes, how is the responsiveness of SERC in addressing those issues?

3. How has the annual progress been during the last five years in terms of improvement of financial management systems?

Annex 2: Persons met and schedule

Date	Time	Respondents	Comments (Names/confirmations/reschedules)
Sun 14	Arrival		
Mon 15	9.00 – 12.00 (At SERC Office)	Meeting with staff of LO Norway and LO regional consultant Meeting with Project manager SERC staff	Magnus Holtfodt – LO-Norway Oslo Floro Fransisco – LO-Norway Asia Advisor Dr. Pongthiti Pongsilamane, Project manager Ms. Nanthana Lansaithong, Project Manager Assistant Mrs. Aomjai Suwanchatree, Finance Officer Ms. Pitchamon Wangkhuntod, Administrative Officer Ms. Boonyarat Dudsorn, International Affairs Officer
	12.00 – 13.00	Lunch (set box)	
	13.30 – 16.00 (At SERC Office)	SERC elected leadership	Mr.Manop Kuerat, General Secretary Mrs.Potjanee Phusi, Women Leaders Ms.Nilaimol Montreekanon, Women Leaders Mrs.Romchalee Tansuwannarat, Women Leaders
Tue 16	9.00 – 11.00	Ministry of Labour	Mr. Panomporn Chuan-u-dom (Labour Relations Committee and Deputy Director of Labour Protection Division) Labour Protection Division, Ministry of Labour
	11.00 – 12.00	Affiliated unions - Mass Rapid Transit Labour Union of Thailand	Representatives of Mass Rapid Transit Labour Union of Thailand State enterprise Electrified Train Workers Union (SEETU) Chitpon Pomdontre - President
	12.00 – 13.00	Lunch (set box)	
	13.00 – 16.00	Affiliated unions - The State Railway Workers Union of Thailand	Representatives of the State Railway Workers Union of Thailand
Wed 17	9.00 – 10.30	Affiliated unions - National Telecommunication of	Representatives of National Telecommunication of Thailand

Date	Time	Respondents	Comments (Names/confirmations/reschedules)
		Thailand	
	10.30 – 12.00	Affiliated unions – Thailand Post Workers Union	Representatives of Thailand Post Workers Union
	12.00 – 13.00	Lunch (set box)	
	13.45 – 16.00 (At SERC Office)	Trainers FGD with Participants from training activities – (10 pax)	Mrs.Sopit Boonchum – Rubber Authority of Thailand State Enterprises Workers Union, Secretary Ms. Patcharawat Kongsin – Marketing Organization for Farmers - President Mr. Pornthep Pongsayom – Registrar, Marketing Organization for Farmers Mr. Arunrote Panprateep – Young - State Railway Union of Thailand Mr. Supichet Suwannachatee – State Railway Union of Thailand Ms. Manyapa Rodyamping – National Telecom Public Company Ltd Mrs. Orapin Piyaoranwit – Labour Union of Government Pharmaceutical Organization (LUGPO) Mr. Narathip Chuesuwan – Aerothai Union Mr. Sapol Singhadara – Aerothai Union Mr. Anek Maiphom – SEETU, Public Vice President
Thu 18	9.30 – 10.30	Affiliated unions – Rubber Authority Workers Union of Thailand	Representatives of Rubber Authority of Thailand State Enterprises Workers Union Mr. Manop Kuerat – President Mr. Jittin Visatsombut – Consultant Mr. Pongphat Jeepimai – Vice President Mrs. Sopit Bunchum - Secretary
	10.30 – 12.00	Affiliated unions –Labour Union of Electricity Generating Authority of Thailand (LU-EGAT)	Representatives of Labour Union of Electricity Generating Authority of Thailand (LU-EGAT) Mr. Piyasiri Pusnaeng – Vice president Ms. Lamyuang Suanboon – Assistant Treasurer
	12.00 – 13.00	Lunch (set box)	
	14.00 – 16.00	Other stakeholders – Thai Labour Solidarity Center, SERC Foundation, Social Democratic Party	Mr. Savit Kaewvarn, Mr. Somsak Kosaisuk
Fri 19	9.30 – 12.00	SERC Auditors	Mr. Thanadee

Date	Time	Respondents	Comments (Names/confirmations/reschedules)
	12.00 – 13.00	Lunch (set box)	
	13.00 – 16.00	Feedback and clarifications with SERC staff	
Sat 20	Return		

ANNEX 3: SWOT Analysis

Strengths of SERC

- Founded by member organizations independent of state
- State has allowed SERC to work in labour processes without limitations
- SERC Member organizations work in all organizations and sectors
- SERC is a centre point for many organizations and workers and repository of union knowledge
- Provides voice for many organizations and workers for advocacy e.g. submission of letters
- Links with international labour movements
- Has high level of trust from workers
- Has presence in the provinces which facilitates linkage with local governors in outreach activities
- Displays internal democracy and good governance with elections every three years and monthly meetings for executive committees, representative for SERC affiliates in the Board and Supervisory Board Committee
- Committed and passionate leaders
- Good gender representation with 6 female executive members in the Executive Board
- The members of Executive Board are well trained
- Has a pool of trained organizers, with an organizing department formed
- SERC has also recently introduced more courses on skill training such as digital mindset and teamwork for SERC affiliates' leaders.
- Is sustainable due to its assets and sources of income. Has own office thus no payment of rent
- Quick adaptation to emerging needs e.g. switch to virtual training methods due to COVID-19 preventing face to face engagement

Weaknesses

- Lack of proficiency in English language – thus unable to engage well on UN SDGs and other program
- Losing trained staff in local union elections, thus need for continuous training
- Inadequate technical staff to offer the training
- Higher demand than supply in training since each training can only take 20 to 30 participants and affiliates are more (38)
- Training not consistently offered. Long intervals of up to 6 months between training sessions

- Board members come from different organizations so the standards they apply in SERC are different
- There are no full-time mentors to support trainees. Recently, SERC has been trying to revise the course content to be more practical, not just theoretical content.
- Few new and youthful employees thus decrease in union members with time
- Lack of schools on trade unionism so general lack of awareness on importance of unionism
- Informal sectors not covered by labour laws for instance agricultural workers e.g. rubber plantation workers so cannot join the union
- Short funding periods which cannot cover strategic issues

Opportunities

- Many ILO activities have been started after COVID-19 that SERC can benefit from
- Opportunities for internal income generation or sources of funds for SERC
- Opportunities with the many informal workers in many sectors who are not organized yet or covered by any law
- Public servant trade union allowed by government is an opportunity to organize the sector
- Although there are some classroom trainings for organizing in the country done by organizers such as JILAF, FES, TLSC, etc., SERC is still the key source of complete knowledge and skills for trade union movements.

Threats

- Privatization of state enterprises has led to leading to job losses and reduction of union members
- Generation gap brought by lack of recruitment by state enterprises as out of 100 retirees only 5 recruited
- Difficulties in encouraging youth to join unions. Also there is a lot of freelancing jobs which do not require unions
- Low fee collection due to resistance to move to percentage dues

Results Framework Results 2022

Objective/Result	Indicator	Target/Actual	Comments on actuals
Higher level outcomes			
1) Workers representatives have demanded and defended workers' rights	Number of cases where trade unions have confronted decision-makers over lack of compliance with workers' rights	Target - 5 Actual - 2	i) Case of 13 State Railway Union employees vs employer taken to Court of Appeal. They had been sentenced to 5 years imprisonment ii) Case by the Trade Union of Liquor Distillery Organization vs employer over unfair labour practices
	Number of cases of violations of workers' rights that are solved in court	Target – 5 Actual - 2	Court verdict of the 13 SRUT members, with sentence reduced and suspended for 2 years Case of TOT public company where employer agreed to pay damages for unfair performance auditing
2) Trade unions have	Number of new trade	Target – 5	14 May Day 2022 demands jointly by SERC

<p>contributed to policy and/or legal changes</p>	<p>unions' demands incorporated in national labour policies or laws</p>	<p>Actual – 15 demand presented</p>	<p>and TLSC (Thai Labour Solidarity Committee) to the government representative:</p> <ol style="list-style-type: none"> 1)a)The state must set fair wages to cover workers in all sectors b) The state must regulate the prices of consumer products c) The state must stop all forms of privatization of state-owned enterprises d) The state shall improve the national tax structure to reduce national inequality and to create sustainable justice for the Thai people e) The state shall reform the social security system (provide hospital, bank etc) f)The State must provide universal welfare services with good quality to all people with equal access without discrimination (Health, Education) g)The State must ratify the International Labor Organization (ILO) convention – 87, 98, 183 and 190) h) The State must abolish the policy of limiting the manpower of government officials and state-owned enterprises and cancel the policy of limiting welfare benefits of employee and their families i) The state must allocate the state budget to hire short-termed contract employees in various government agencies and have a plan to change their status to become government officials j) The state must ensure that labour laws are strictly enforced k) The state must establish an investment-risk fund by having employers pay money into the fund to create the assured worker rights protection. l) The State must develop mechanisms for access to rights and enforcement of the occupational safety and health (OSH) law seriously m) The state must abolish precarious employment, such as temporary, daily, hourly, employment, and contract work in both state agencies and private companies n) Implement proposals to protect migrant workers' rights <p>2) SERC, as the worker representatives in the state-owned enterprise, filed the complaint against the draft revision of the State</p>
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			Enterprise Labour Relations Act. This draft was prepared by the Ministry of Labour and was approved by Decree Office; though, there were lot of Articles in the draft that weaken the trade union in the state-owned enterprises.
	ILO Convention on Domestic Workers No. 189 adopted	Target: 5 milestones T1: Start to discuss with the domestic workers' association. T2: Run the campaign T3: Continue to run the campaign T4: Convention ratified T5: Convention implemented in the laws. Actual: Still at Milestone 1	Process started in 2020 but stop by the COVID-19 pandemic. Up to now, there was no legislative activity concerning the revision of the Ministerial Regulation No. 14 and also the ILO Convention on Domestic Workers No 189.
Intermediate Outcomes			
1) Workers have been organised	Number of men and women in unions for public workers	Baseline 2019: 164.035 rank-and-file members in 44 SERC affiliates. Men 110.738 Women 53.297; 2022: 8 % increase = 177.556 (34% female and 66% Male) 2023: 10 % increase = 181.107 (35% female and 65% Male) Actual: End of 2021 there were 151,096 members, 89,963 males and 61,133 females.	Target missed by 22,979 which is a reduction from the baseline. This is attributed to the decisions by Thai Government Cabinet to limit the recruitment of new employees 20 years ago to raise the effectiveness and productivity indicator of the state enterprise personnel, resulting in the decreasing rate of state enterprise personnel every year. SERC affiliates have however been doing the worker organizing campaign in the work place every year to recruit new members from new employees, but the number of workfaces in the state enterprise is still decreasing due to attrition (retirements, transfers to greener pastures, etc) with no replacement
Outputs			
1.1 SERC and affiliates have capacity to organise new members	Number of organisers in organising trained in affiliated unions and SERC branches	Baseline 4 Target: 24 Actual: 0	Due to the COVID-19 pandemic in the past 2 years, SERC didn't organize the training course to train the potential leaders to become the worker organizers.

1.2 SERC and affiliates have developed recruitment strategy	Recruitment strategy document in place	Target: 5 milestones: T1:Develop strategy. T2:Implement strategy. T3:improve strategy T4:Evaluate impact of strategy T5:Develop future plans Actual:	Due to the COVID-19 pandemic in the past 2 years, SERC didn't develop the recruitment strategy plan.
1.3 SERC has expanded regionally in Thailand	Number of SERC regional branches and SERC Provincial Coordination Centres.	Baseline: 9 SERC branches Target: 50 SERC Provincial Coordinating Centres Actual: 15 provinces under either with a coordination center or supervised by a neighbouring SERC branch	The organized Provincial Coordination Centers are followings: 1) Roi-Et Province, 2) Mukdahan Province, 3) Amnat-Jareon Province, 4) Yasothon Province, and 5) Sri-Saket Province. These centers are under supervised by SERC branch at Ubon-Ratchathani. 6) Satun Province, 7) Nakhon Si Thammarat Province, 8) Yala Province, 9) Pattani Province, 10) Narathiwat Province and 11) Phatthalung Province. These centers are under supervised by SERC Branch at Hatyai. 12) Uthai Thani Province, 13) Chai Nat Province, 14) Phetchabun Province and 15) Tak Province. These centers are under supervised by SERC Branch at Nakorn Savarn.
1.4 SERC affiliates have implemented percentage dues system	Number of SERC affiliates have the percentage dues collection system	Baseline 5 affiliates having the percentage due collection system. Target: 4 more Actual: 0	Since 2020, SERC has not arranged the seminar on Percentage Due System Course due to the bad economic situation resulting from COVID-19 pandemic.
Intermediate outcome 2			
Workers have bargained collectively through social dialogue	New and improved collective bargaining agreements have been signed	Baseline 28 unions have CBAs out of 44 in 2017 Target: 12	SERC did not arrange the capacity building training for CBA due to Thai bad economic caused by COVID-19 pandemic

		updated CBAs; 16 new CBAs Actual: 0	
	SERC affiliates have improved negotiations skills	Percentage of course participants report enhanced understanding of collective bargaining. Target: 100% Actual: NA	Did SERC train on improved negotiations? Did they do pre and post evaluations to measure understanding?
Immediate Outcome 3			
SERC have effectively represented all workers	Number and percentage of women leaders in the local union committees	Baseline 40 Target: 60 (20 new) Actual: 74	74 women leaders representing 31.63% of the leaders in the unions at executive positions (President, vice president, Treasury, Secretary, Registrar, and Vice President in charge of women and youth concerns)
	Number of youth sub-committee members actively participate in local union and SERC activities	Baseline 8 Target: 16 (8 more) Actual: 15 new)	
Output 3.1 More women are aware of the need for women to present themselves as candidates for leadership positions	Number of women candidates in leadership at different levels	Baseline: 5 Target: 10 Actual: 15 (for president position?) Data required for all executive leadership positions to be availed after survey by SERC	As at April 1, 2022, 8 out of 21 executive committee board members at SERC were women including: <ul style="list-style-type: none"> • Miss Neeranuch Jitsom • Mrs.Photjanee Phusi • Miss Sirinthip Sombutpinyo • Miss Shinanan Teerapornpailin • Miss Suwattana Chareengam • Miss Lamyueng Suanboon • Mrs.Porapat Sukcharoen • Mrs.Wareeporn Chaobangpra
Output 3.2 More women members are trained and capacitated	Increasing number of women participating in SERC activities.	Target: 250 Actual: 485	In 2020, there are 322 males and 163 female participate the LO Cooperation Program