

## The Appropriate Patterns of Management in Thai-Cambodian Labour Relations.

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### Abstract

This research had the objectives to study the context and factors managing labour relation: Thai-Cambodia, and construct the appropriate model as proposition. It was qualitative research. Interview form was used as the research tool for data collection from the executives in government and private sector, Cambodian labour, and entrepreneur. Research tool was examined the content validity by the experts.

The research findings were as follows: The relevant contexts were consisted of the government sectors of Thai and Cambodia which had the tendency to work with each other more collaboratively. However, management style was still adhered to its own traditions and values at some degrees. The relevant factors comprised wages, economic conditions, welfare, livelihood, sanitation, and the advancement in law. The appropriate model proposed were to set up the supervisory authority to control and integrate their collaborative working; to empower the Cambodian labour to participate in management process; and to legislate, strictly enforce, and revise the laws to be up to date.

**Keywords:** The appropriate model; Management; Labour Relation; Thai-Cambodia.

### Introduction

Thailand borders with 4 neighboring countries which are Myanmar, Laos, Cambodia, and Malaysia. The neighboring countries with the most borderline with Thailand are Myanmar, which borders with the west side of Thailand. The borderline including land and sea borders are up to 2,401 km long. There are routes between Myanmar and 10 provinces in Thailand which are Chiang Rai province, Mae Hong Son Province, Tak Province, Ratchaburi Province, Kanchanaburi Province, Phetchaburi Province, Prachuap Khiri Khan Province, Chumphon Province and Ranong Province. (Office of the Minister Ministry of Defense, 1999) Gerdmongkol A. (2009) It is found that migrant workers are vulnerable to exploitation and abuse of rights in various forms. Such as, physical,



verbal and psychological, including sexual abuse, violence or body assault. Partly, It's because of the government officials, due to illegal immigration of migrant workers. They work in Thailand without having "The Card" or evidence of the right to stay and work legally.

The government of Thailand, Myanmar, Laos, and Cambodia have signed the MOU about legal importation of migrant labour in 2003. ( MOU stands for Memorandum of Understanding) ( Tantrakul S., 2014) Subsequently, the entire workforce management system was started in 2004 with the aim to legal the use of foreign workers by "proving and certifying citizenship" and "bringing into lawful employment systems", but it still cannot solve the problem of control and expulsion of migrant workers. Indeed, even if it is possible to prove and certify all alien workers in the country, it does not mean that no migrant workers will escape into Thailand. (Committee on Labor and Social Welfare National Legislative Assembly, 2007) The importation of foreign workers from neighboring countries has both positive and negative effects on Thailand. The positive effects are mostly on the employer side, that the employer can employ foreign workers to fill in the shortage of labour and also the wages are cheaper than Thai workers. On the other hand, the negative effects impact the society widely, Security issues impact on international relations, public health, economic, disease control, and job displacement. Also this creates social impact, such as life and property problems, crime, social separation, smuggling and human trafficking. Stateless child and the problem of influencing ethnic groups are also the problems. Including drugs, prostitution problems, The burden of the state on basic infrastructure and public health.

The researchers are aware of the impact on the management of foreign workers from neighboring countries, Cambodia in particular. The researchers are aware and concerned about international relationship between Thai and Cambodia and also realize that the workers should get an appropriate welfare and public health service according to the international standard. And with the need for Thailand to rely on foreign workers in the context of a shortage of labour. With the changing social conditions. For this reason, the study was conducted to present appropriate models for management of appropriate Thai-Cambodian labour relations.

### Objectives of Research

1. To study the context about the management of Thai-Cambodian labour relations.
2. To study the factors involved in the management of Thai-Cambodian labour relations.
3. To study the appropriate patterns of management in Thai-Cambodian labour relations.

Literature Review



In this study, the literature review found that the use of migrant workers was legally required under the MOU. To legally hire migrant workers, employer has to deal with complicated process. Moreover, the employer needs to find the way to send the workers back to their homeland to work on the document process which takes a long time and causes the employer economic loss, also If the employer hires recruitment agency to do this will cost a lot. (Information from recruitment agencies, interviews) Legal factors affect the needs of foreign workers, This may be because. At present, the law on employment of foreign workers and employment policies for migrant workers is clear and easy to understand. Thailand has a need for foreign workers due to the shortage of skilled labor or unskilled labor, especially fishing and industrial work, agriculture, construction work and servants. So, Importing foreign workers in appropriate numbers is essential for the expansion of the manufacturing sector and the industrial sector of the country. Moreover, the increase of foreign workers has not affected the unemployment rate of Thais. (Department of Employment Planning and Information Division, 2012)

Describe the dimensions of labor in adaptation. (Summary from Sattayopat S., 2016.) Describing the adaptation of foreign workers in Tai Yai research in Chiang Mai, It has impact on stability in life and society in 8 dimensions. Which are (1) Employment and Income Dimension (2) Family Dimension (3) Personal security Dimension (4) Dimensions of social support (5) Social and Cultural Dimension (6) Dimensions of education (7) Dimensions of health (8) Dimensions of housing and physical environment. Roy (1999) also believed that human being consists of body, mind, and society. The psychosocial being is holistic and cannot be separated, in order to have a normal or good mental health. It also depends on the adaptation level, which is the input to the adaptation system of another person. Adaptation level is the level or boundary that represents a person's ability to respond positively to a situation. Or as a result of people responding to stimuli. Which can be seen from the study of family dimension, social and cultural dimension, educational dimension, and health dimension. The Tai Yai adapt to the happiness of life by responding to external stimuli according to their condition and abilities and has integrated level of adaptation. (Roy 1999 Areaeue, S.1997)

### **Research Methodology**

This research uses qualitative research methodology by analyzing data from documents, concepts, theories and literature. Also the data is collected from website and in-depth interviews with whom were experienced and relevant to this research. Unstructured interviews is used, and the instrument was examined by experts who found it consistent with the research. Important informants are the President of Thai-Cambodian Friendship Association and businessmen in

Cambodia who had invested in Thailand, or who have lived or worked in Thailand. Purposive Sampling is used and the qualification criteria are the qualitative examination of the Thai-Cambodian labor relations and 16 scholars. By analyzing data, the data were analyzed by interpretation, to present in descriptive manner.

## Research Result

According to studies, it has been found that

### 1. Context of management in Thai-Cambodian labor relations.

The most important thing is, having "The Card" or evidence of the right to stay and work legally can help them to be protected by the law. They don't have to hide or live in fear. But some migrant workers cannot get a work permit in Thailand because they don't have identification cards. This is because the government never issued such documents, or somebody might lose their card or got it taken away during the trip. Moreover, according to the MOU, the cost of legally importing migrant workers is 14,000 baht per person. Also, Foreign workers must return to their country of origin to make a tourist passport. The employment agency will process all documents with the country of origin. All expenses including the cost of returning to the country of origin, passport and other expenses to get a work permit, It costs more than 20,000 baht per person. There is also a condition that foreign workers under the age of 18 cannot be legally imported to the country under the MOU.

### 2.The factors involved in the management of Thai-Cambodian labor relations.

#### 2.1.Work and Income Dimension, Personal Security

The workers adjust to the work by accepting the job and salary according to the rules and income of the employer. They also increase the income to get more money per day by working overtime with the same establishment. On personal and working life balance, there are break time for lunch and other holidays. On the other holidays. The Ministry of Labor (HRH) has issued the Labor Ministerial Regulation No. 14 (BE 2555), which was issued under the Labor Protection Act 1998, to provide protection for employees. For the workers, holiday is when employers take them to travel with their families. For some types of work, the workers do not get holidays as required by law. As a result, they lack the balance of personal and working life.

#### 2.2.Family, Society and Cultural Dimension, Educational Dimension

For the Cambodian workers who come to work in Thailand with the whole family, they don't need much adaptation. But for those who come alone. For example, a man who is a husband,



his responsibility is to work and send the money back to their family in Cambodia and he no longer has to protect his family. But for the workers who are single, when coming to work in Thailand, they can decide freely by themselves about the work. Also, if they marry Thais they will need to adapt themselves to Thai family in order to live in Thailand for the rest of their life.

### 2.3. Health, Housing and Physical Environment Dimension

The Cambodian workers try to maintain their good health by cooking their own food. They said that it's a familiar taste and help them save the money. In the same time, they try eating Thai cuisine. If they are sick, they will go the local hospital such as, municipal hospital or clinic facility near their accommodation. Although it's expensive they get a good service. Most of the workers will adjust to the housing according to their job. They will adapt to the accommodation provided by the employers. But for the general workers, they have to rent the room and pay the electricity by themselves. The condition of the accommodation is better than staying in a camp (building site), which is a temporary building. The legal status is not important to the quality of working life. (Hun Montvann Vice President, Siem Reap Chamber of Commerce , Interview 29 August 2018 )

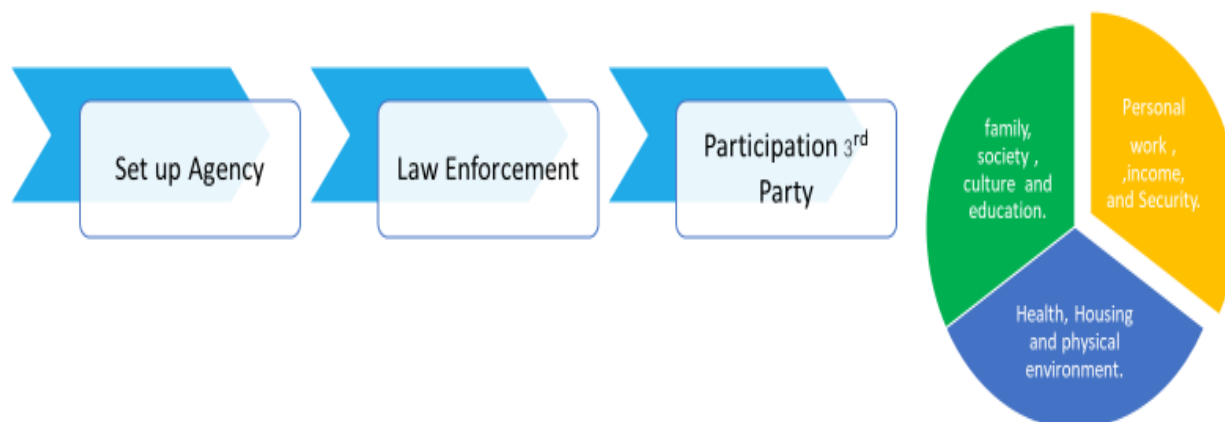
### 3. The appropriate patterns of management in Thai-Cambodian labour relations.

3.1. The policy of participation from the three parties consists of, Relevant staff, Cambodian workers, and entrepreneurs in each community. Come and join together. "The policy must take into account Cambodian workers, other workers, and business owners or employers. "(Leab Polo, Acting Chairman, Phnom Penh, 30 August 2018)

3.2. The government should set measures and the authorities should be strict and enforce the law seriously, such as taking into account the immigration of foreign workers. There should be a visit without telling in advance to inspect the foreign workers in the business. "There should be awards for those who tipped off the police about the employers who illegally hire foreign workers. These suggestions will make the policy on migrant workers more effective. So that the establishment will not illegally employ foreign workers. (General Vichit Yantip, President of Thai-Khmer Friendship Association, interview, interview 19 September 2018)

3.3. Establishment of a unit responsible for labor relations for migrant workers. There should be a plan for the capacity utilization of migrant workers to replace Thai workers, and to provide sufficient amount for the needs and care of the work and income, personal security, housing and physical environment of migrant workers. " To establish a department that has direct responsibility or the Cambodian workers' Caretaker (Thavorin You Kheang, Angkor Certified Accountant, Interview 31 August 2018)

The results of this research can be summarized by creating a suitable model for managing Thai-Cambodian labor relations.



**Figure 1** An appropriate model for managing Thai-Cambodian labor relations.

## Research Results Discussion

### 1.Context of management in Thai-Cambodian labor relations.

The most important thing is, having the work permit can help them to be protected by the law.

### 2.The related factors in the management of Thai-Cambodian labor relations are as follows:

- 1) Employment and Income, Personal security under the Ministerial Regulation No. 14 (BE 2555) issued under the Labor Protection Act 1998 to provide protection for foreign employees.
- 2) Family, Society and Cultural Dimension, Educational Dimension

For the Cambodian workers who come to work in Thailand, they are ready to adapt themselves. But for the workers who are single, when coming to work in Thailand, they can decide freely by themselves about the work. Also, if they marry Thais they will need to adapt themselves to Thai family in order to live in Thailand for the rest of their life.

- 3) Health, Housing and Physical Environment Dimension. It is found that the Cambodian workers try adjust themselves to Thai society and they will go the local hospital or clinic facility near their accommodation. As the standard is higher than their country of origin. Most of the workers will adjust to the housing according to their job. They will adapt to the accommodation provided by the employers. But for the general workers, they have to rent the room and pay the electricity by themselves. The legal status is not important to the quality of working life because most of them have no knowledge about their rights and are uneducated .

### 3. Appropriate forms of management in Thai-Cambodian labor relations.

3.1. To set up the policy of participation from the three parties consists of, Relevant staff, Cambodian workers and entrepreneurs in each community. The development of mutual cooperation which is consistent with Sanit Sattayopat (2559), who said that the policy is based on the participation of three parties which are local government officials, Foreign workers in the target area, and the entrepreneurs in each community. Come together to develop by Future Search Conference (FSC) which is a way to create happiness for the community.

3.2. The government should set measures and the authorities should be strict and enforce the law seriously, such as taking into account the immigration of foreign workers. There should be a visit without telling in advance to inspect the foreign workers in the business. There should be awards for those who tipped off the police about the employers who illegally hire foreign workers. These suggestions will make the policy on migrant workers more effective. So that the establishment will not illegally employ foreign workers. Consistent with (Nimnuan N., 2013) Let the government and relevant agencies in each country realize the importance and the need to cooperate and improve the rules.

3. Establishment of a unit responsible for labor relations for migrant workers. There should be a plan for the capacity utilization of migrant workers to replace Thai workers, and to provide sufficient amount for the needs and care of the work and income, personal security, housing and physical environment of migrant workers.

Overview of the management of foreign workers. The arrangement of non-Thai migrant workers working in the territory of Thailand illegally need to be taken care of. They should do the registration legally to facilitate the control of social order. And is beneficial to employment. (Nimnuan N., 2013) It's the most important thing. In order to create a pattern adjustment of foreign workers in various aspects that affect the stability of life and Thai society and strengthen the community to the security of the country. (Sattayopat S., 2016) The entrepreneur must understand the culture of foreign workers, such as the study of Kanya Phophan (2012), who has studied "the study of foreign workers in the Eastern Industrial Estate". The study found that the entrepreneur thought that the factor in the use of foreign workers is labour factor. Since migrant workers are not picky with work and can work hard. Work payment and security are more important for them.

### Suggestion



1. The relevant government agencies should be studied. Such as the Ministry of Foreign Affairs to coordinate with Cambodia to create a mutually-inclusive agreement to develop the potential of labor and force. To be competitive and meet the needs of the Thai labor market.
2. The requirements of international deportation should be studied. The lessons should be adapted to Thailand in order to maximize the efficiency of labor management in Cambodia

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## Interviews

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- Dr. Leab Polo, Acting Chairman Phnom Penh , interview 30 August 2018
- Dr. Thavorin You Kheang, Angkor certified Accountant, , Interview 31 August 2018



Hun Montvann Vice President, Siem Reap Chamber of Commerce, Interview 29 August 2018