



Newsletter No. 218 (EN)

**Safety Officers
under Thai Law**

March 2022

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In some industries, employers are required to appoint safety officers in accordance with the Occupational Safety, Health and Environment Act (“OSH Act”).

I. Required Industries:

| No. | Industry |
|-----|--|
| 1. | Mine, quarry, petroleum or petrochemical business |
| 2. | Making, producing, assembling, packaging, repairing, maintaining, storing, improving, decorating, extending, modifying, transforming, degrading or destroying any material or property, including constructing ships, and generating, transforming and supplying electricity or other power |
| 3. | Constructing, extending, installing, repairing, maintaining, modifying or demolishing of building, airport, railway, underground route, port, dock, pier, water route, road, dam, tunnel, bridge, sewer, water pipe, telegram work, telephone work, electricity work, gas or tap water work or other construction including preparation of or carrying out the foundation work of construction |
| 4. | Transport of passengers or goods by land, waterway, or air, including transporting and transferring of goods |
| 5. | Gas or petrol stations |
| 6. | Hotels |
| 7. | Department stores |
| 8. | Medical institutions |
| 9. | Financial institutions |
| 10. | Physical test service places |
| 11. | Entertainment, recreation or sport places |
| 12. | Chemical or biological laboratories |
| 13. | Offices supporting the workplaces in (1) to (12) |
| 14. | Other activities stipulated by the Ministerial Regulation (none so far) |

II. Required Safety Officer, Department, and Committee:

| Level of safety officer | | | | | | | | |
|-------------------------|---------------------|------------|-------------|---------------------|---------------|------------|--------------|---------------|
| Types of industry | Number of employees | Supervisor | Technician | Advanced Technician | Professional | Management | Safety Dept. | OSH Committee |
| (1) | ≥2 | | | | Full time | | | |
| (2)-(5) | 2-19 | | | | | | | |
| (2)-(5) | 20-49 | | 1hr/day | | | | | |
| (2)-(5) | 50-99 | | | Full time | | | | |
| (2)-(5) | 100-199 | | | | Full time | | | |
| (2)-(5) | ≥200 | | | | Full time | | | |
| (6)-(13) | ≥20 | | | | | | | |
| (6)-(13) | ≥50 | | | | | | | |

III. Type of Safety Officers:

| | |
|--|---|
| Safety Officer | is an employee appointed to perform duties on occupational safety, health and environment. |
| Supervisor level (Sec. 7-9) | is an employee who is in charge of supervising, controlling, commanding, and ordering other employees to work within the scope of responsibility of each working unit. |
| Technical level (Sec. 10-12) | is an employee who has qualifications and has received training as specified by law. A technical-level safety officer is required by law to operate on safety issues no less than 1 hour per day. |
| Advanced Technical level (Sec. 13-15) | is an employee who has the duty to operate on safety issues of the company/business. |
| Professional level (Sec. 16-18) | is an employee who has the duty to operate on safety issues of the company/business. |
| Management level (Sec. 19-21) | is an employee who is a chief of the working unit on a higher level than supervisor level, regardless of the title. |
| Safety Department (Sec. 33-35) | is the department assigned by the employer to take charge of occupational safety, health and environment in the workplace. |
| OSH Committee (Sec. 23-32) | (Occupational Safety, Health and Environment Committee) consists of representatives from the employer and employee side, together with advanced technical or professional safety officer (if any), having duties on managerial and policy level of the safety issues. |

IV. Violation:

An employer who violates the OSH Act can be punished by imprisonment up to 1 year and/or fine up to THB 400,000, depending on the specific nature of the violation. For example, in case of a violation of the standards established by the subordinate law, the employer may be punished by imprisonment up to 1 year and/or fine up to THB 400,000 (Section 53, OSH Act). In case the safety officer is not appointed as per the law, the employer may be punished by imprisonment up to 6 months and/or fine not exceeding THB 200,000 (Section 56, OSH Act).

V. Summary:

Employers in the relevant industries must appoint and establish safety officers, safety department, and OSH committee as required by law. The employer must also have a regulation and guidance on work safety. Besides these duties, the OSH Act also sets out the criteria for other aspects of occupational safety (e.g. light, sound, chemical, fire, electricity, crane, radiator, confined space, machinery, etc.) for employers who operate in relevant business areas. Additionally, there are safety consultant firms who can provide detail/technical consultations and practical solutions for employers who are required to comply with safety laws.

*We hope that the information provided in this brochure was helpful for you.
If you have any further questions, please do not hesitate to contact us.*

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