

Protection Framework against Occupational Disease and Environmental Disease

In an effort to promote social health, well-being, as well as, minimize occupational and environmental related risk factors, Thailand is now working alongside the World Health Organization (WHO) to implement multidisciplinary framework which aims to improve health related policies for employee, self-employed person and the general public (herein collectively referred to as the “affected persons”).

Thailand Occupational and Environmental Diseases Control Act, B.E. 2562 (2019) (“OEDC”) was enacted as a protection framework for the affected persons. Currently, the OEDC is undergoing the first implementation phase, in which related government offices will appoint Provincial Occupational and Environmental Diseases Control Committee (“POEDC”) to oversee and set forth ancillary laws suitable for each respective province.

1). Occupational Disease

An occupational disease is any disease that is a result of an exposure to health-related risk factors from working activities. Exposure to risk factors would generally increase the likelihood of developing occupational diseases. Onset symptoms of occupational diseases may occur in both short-term and long-term. Short-term symptoms are such as chemical irritation to the eyes, respiratory tract or skin, oftentimes resulting from coming into contact with chemical irritants. Long-term symptoms usually surface after a prolonged exposure to certain risk factors, asbestos-related diseases are such examples.

2). Environmental Disease

Moreover, the OEDC also offers protection framework against environmental diseases. Environmental diseases are diseases that are caused by exposure to toxic environmental contamination or pollution. For instance, Thailand and its major cities have been plagued by air pollution (i.e. particulate matter 2.5 or PM2.5) for many years, prolonged exposure to PM2.5 can cause both short-term health effects (e.g. coughing, sneezing, runny nose and shortness of breath) or long-term health effects (e.g. chronic bronchitis, reduced lung function and lung cancer).



3). *The Framework*

The OEDC encompasses ancillary laws that listed the diseases that are caused by exposure to occupational and environmental risk factors, all of which are regularly monitored and updated by related offices and authorities. The list ranges from lead poisoning, asbestosis to disease from working in a confined space, diseases caused by exposure to PM2.5 were also included. In addition, members of the general public living in the surrounding vicinity of any facility that may produce environmental pollution will also be protected under the OEDC.

The OEDC requires employers and/or any medical facilities to report to the responsible officer should they have the ground to suspect that any illness was caused by occupational or environmental risk factors. The OEDC also imposed a maximum fine of THB 200,000 in the event that employers and/or any medical facilities were found to have intentionally withheld crucial information.

As it stands, the OEDC is undergoing implementation as there are several ancillary laws pending the legislative pipeline. Also, many of the inspection methods and reporting procedures still require further fine-tuning. Overall, this is a very good start for promoting health, well-being and ensure a sustainable working environment for the affected persons. We will keep you posted on further development as and when the information becomes available. If you have any question regarding the OEDC, please contact law@ilct.co.th.

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