

Ministerial Regulations No. 7
B.E. 2541 (1998)

Issued under the Labor Protection Act B.E. 2541 (1998)

By virtue of Section 6 and Section 22 of the Labor Protection Act B.E. 2541 (1998), THE Minister of labor and Social Welfare hereby issues the following Ministerial Regulation:

Clause 1. For work in petroleum operations under the law governing petroleum , including maintenance and service in connection with such work, only those performed in the exploration block and production area, labor protection shall be provided as follows:

- (1) An Employer and Employees shall agree on the normal workings hours, which shall not exceed 12 hours per day and shall specify the commencing and ending times of work;
- (2) An Employer and Employees may agree to schedule the working period in uninterrupted interval, but each uninterrupted interval so agreed shall not exceed 28 days;
- (3) An employer shall arrange for Employee who have worked continuously for the full range of the range of the interval agreed under paragraph (2) above the Holidays after each interval as appropriate. If the Employer and Employees agree to schedule the normal working hours in an interrupted interval of not less than 14 days, the Employer shall arrange for the Employees to have uninterrupted Holidays of not less than half of the number of uninterrupted days of work.
Holidays for each interval under paragraph one shall include the weekly Holidays provided by the Employer under Section 28 of the Labor protection Act B.E. 2541 (1998)
- (4) Whereas a traditional Holiday falls on holidays under paragraph (3) above, Employees shall be entitled to a substitute Holiday for the traditional Holiday, to be taken on the following Working Day, or the Employer may pay Holiday Pay to the Employees.

- (5) The Employer shall notify Employees in advance as appropriate of training concerning survival on the sea and fire-fighting, if the training is conducted on a Holiday. In addition, the prior consent of the Employees shall be required for another training on Holidays. The Employer shall pay Holiday Pay for the training day and for the days on which the Employer requires Employees to make preparations and for the training as well as paying any Employee's travel expenses.

Clause 2. For professional or technical work, administrative and management work, clerical work, occupations concerning trade, service occupations, work involving production or work in connection with the above mentioned types of work, an Employer and Employees may agree on any number of normal working hours per day but the total number number of working hours in a week shall not exceed 48 hours.

If an Employer and Employees agree to schedule the normal working hours under paragraph one in excess of eight hours a day, an Employee, except if he or she receives monthly wages, shall be entitled to remuneration in money for each hour worked in excess of eight hours in equal to the Wages rate per hour on a Working Day or in equal to the piece rate of Wages rate per hour on a Working Day for work done by an Employee who receives Wages calculated on apiece rate basis.

Clause 3. For work in a food shop or a beverage shop which does not open or provide service continuously on each Working Day, the Employer may provide a rest period of more than two hours a day for Employees.

Clause 4. An employer may require a female Employee to work in professional or technical work concerning exploration, drilling, refinery and production of petroleum or petrochemical products if the nature or character of such work is not harmful to the health or body of the Employee.

Clause 5. An Employer may require a pregnant female Employee who works as an executive, or who performs technical, administrative, financial or accounting work to work overtime on a Working Day with the consent of the Employee.

Clause 6. Whereas an Employee works as an itinerant vendor or solicits for the purchase of goods, if the Employer pays a commission for the sale of goods to the Employee, the Employee shall not be entitled to Overtime Pay under Section 61 and Holiday Overtime Pay under Section 63, unless the Employer agrees to pay such Overtime Pay or Holiday Overtime pay to the Employee.

Clause 7. This Ministerial Regulation shall be deemed to have come into force on 19th August B.E. 2541 (1998)