

11 April 2023

Takeyoshi Usui

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IndustriALL Global Union reminds Y-Tec Co. Ltd that dismissals over union membership violates the Labour Relations Act

Dear Mr. Takeyoshi Usui,

I am writing this letter to you on behalf of IndustriALL Global Union, representing more than fifty million workers in the manufacturing supply chain, including the rubber and automotive sectors, in 140 countries, including Thailand.

We refer to your reply dated 13 December 2022 where you state that Y-Tec will respond in accordance with local laws and regulations and instructions of the relevant authorities.

This is not the case, as dismissing Theptawin Luecha, Amnart Wongsri, Jamroen Senabua, Pooporn Petcharat and Sorawich Sadsri, over their union membership is in violation of the Labour Relations Act of Thailand.

Section 121(2) of the Labour Relations Act of Thailand strictly prohibits termination of employment of a worker as a result of the said worker being a member of a labour union (please refer to Annex I below). Such acts of anti-union discrimination also violate the ILO Declaration of Fundamental Rights at Work that all member states, including Thailand, must be adhered to.

On 18 Jan 2023, the Labour Relations Committee ordered Y-Tec to reinstate the unionists, an order Y-Tec has refused to comply with. Instead, your company has offered termination compensation of THB600,000 per person to the five unionists to tender their resignations, asked them to stay home and assumed their home as a workplace. This constitutes an illegal house arrest imposed by Y-Tec.

IndustriALL Global Union reiterates the call that the five unionists should immediately be reinstated at their original positions with back pay. All union busting activities must stop immediately and Y-Tec should engage in social dialogue with Thailand Auto Part and Workers' Union (TAM) and the Confederation of Industrial Labour of Thailand (CILT).

I anticipate your swift response and action.

Yours sincerely,



Atle Høie
General Secretary
IndustriALL Global Union

(Annex I), Section 121, Chapter 9, Labour Relations Act of Thailand

Annex I

CHAPTER 9

UNFAIR PRACTICES

Section 121. An Employer shall not:

(1) terminate the employment of or take any action which may result in an Employee, a representative of an Employee, a Committee member of a Labour Union or Labour Federation being unable to continue working, as a result of the Employee or Labour Union calling a rally, filing a complaint, submitting a demand, negotiating or instituting a law suit or being a witness or producing evidence to competent officials under the law on labour protection or to the Registrar, Conciliation Officer, Labour Dispute arbitrator or Labour Relations Committee member under this Act, or to the Labour Court, or as a result of the Employee or Labour Union being about to take the said actions;

(2) terminate the employment of or take any action which may result in an Employee being unable to continue working as a result of the said Employee being a member of a Labour Union;