

Regulation of the Department of Skill Development

On Skill Training

B.E. 2566 (A.D.2023)

Whereas it is deemed expedient to revise the Regulation of the Department of Skill Development to be more appropriate and consistent with the training methods and current situations.

By virtue of Section 32 of the State Administration Act, B.E. 2534 (A.D. 1991), as amended by the State Administration Act (No. 5), B.E. 2545 (A.D. 2002), Director-General of the Department of Skill Development hereby issues the regulation as follows:

Article 1. This Regulation shall be called the “Regulation of the Department of Skill Development on Skill Training, B.E. 2566 (A.D. 2023).”

Article 2. This Regulation shall come into force from the date of its publication onward.

Article 3. Any regulations, orders or guidelines that are contrary to or inconsistent with this Regulation shall be repealed and replaced by this Regulation.

Article 4. The following shall be repealed:

- (1) Regulation of the Department of Skill Development on Certificate of Proficiency, B.E. 2537 (A.D. 1994);
- (2) Regulation of the Department of Skill Development on Off-Site Skill Training, B.E. 2538 (A.D. 1995);
- (3) Regulation of the Department of Skill Development on Selection of Third-Party Pre-Employment Training Instructors, B.E. 2541 (A.D. 1998);
- (4) Regulation of the Department of Skill Development on Pre-Employment Training, B.E. 2547 (A.D. 2004);
- (5) Regulation of the Department of Skill Development on Pre-Employment Training (No. 2), B.E. 2557 (A.D. 2014);
- (6) Regulation of the Department of Skill Development on Skill Upgrading Training, B.E. 2547 (A.D. 2004); and
- (7) Regulation of the Department of Skill Development on Trainees Entrusted with Establishments, B.E. 2547 (A.D. 2004).

Article 5. In this Regulation:

“Training Unit” means a unit under supervision of the Department of Skill Development having a mission to provide skill training or a unit authorized by the Department of Skill Development.

“Training Curriculum” means subjects, contents, methods, skill training measurement, and evaluation approved by the Department of Skill Development.

“Skill Training” means the pre-employment training, skill upgrading training, and second job training.

“Pre-employment Training” means skill training organized to improve workers’ skills, knowledge and capability in different fields of work as well as to promote good attitude toward work or occupation prior to employment to enable the workers to work according to the skill standards.

“Skill Upgrading Training” means skill training organized to upgrade the skills, knowledge and capability, and promote work attitudes for workers to enable them to work more efficiently and effectively and keep up with technological changes.

“Second Job Training” means skill training organized to increase knowledge and capability in jobs other than that the trainees normally work or in addition to the knowledge the trainees have already had.

“Training Instructor” means an officer or a person assigned by the Department to deliver skill training instruction to the trainee or a person participating in a vocational training activity.

“Trainee” means a person who attends skill training of the Department of Skill Development.

“Person Getting Trained in Establishment” means a person who receives training in a workplace or an establishment to be prepared for employment.

“Department” means the Department of Skill Development.

Article 6. Director-General of the Department of Skill Development shall be in charge of the execution of this Regulation.

Chapter 1

Pre-Employment Training

Part 1

Rules for Applying for the Training

Article 7. An applicant for the training shall have the following qualifications:

- (1) Being not less than 15 years of age, unless otherwise required by the Training Curriculum;
- (2) Completing not less than the 9th grade or an equivalent thereof, unless otherwise required by the Training Curriculum;
- (3) Being healthy, having no medical condition that may obstruct the training, and being able to attend the training throughout the training program; and
- (4) Not being addicted to narcotic drugs or having a serious communicable disease;

Article 8. Documents or evidence that the applicant has to produce when applying for the training:

- (1) National ID Card or another identification document issued by the government agency; and
- (2) Document or evidence of education.

Article 9. The Training Unit shall select applicants to attend the training by means of written examination, practical test, interview, or any other methods, taking requirements of each Training Curriculum into account.

Article 10. Upon completion of the selection process, the Training Unit shall announce names of successful applicants and record the details of Trainee in each batch in the system determined by the Department.

In the case where a successful applicant is not of legal age, there shall be a letter of consent of the applicant's parents or guardians in the form determined by the Department.

Part 2

Rules for Training

Article 11. Training may be conducted within the Training Unit, outside the Training Unit, and in a business establishment.

Article 12. Training duration of each Training Curriculum shall be provided in the Training Curriculum.

Article 13. The Training Unit shall provide supplementary activities during the training as follows:

- (1) First orientation for Trainees before attending the Pre-Employment Training;
- (2) Training in academic topics to increase knowledge required to perform jobs and to have good work attitude in the future, such as experience, businesses, industries, disciplines and code of conduct, human relations, communication, digital skills, work safety, social ethics, and educational tours;
- (3) Medium orientation before getting trained in an establishment;
- (4) Last orientation to guide trainees on how to do their jobs after completion of the training; and
- (5) Other activities as appropriate for each Training Curriculum or Training Unit.

Part 3

Safety and Orderliness

Article 14. Trainees shall strictly follow training regulations and rules stipulated by the Training Unit.

In the case where Trainees fail to follow the training regulations and rules, director of the Training Unit may consider taking any one of the actions below as necessary and appropriate:

- (1) Verbal warning;
- (2) Probation; or
- (3) Termination of traineeship.

Article 15. Trainees shall wear clothes suitable for their training activity or as required by the Training Unit.

Article 16. When getting trained in the Training Curriculum involving tools, machines, or chemicals that could be dangerous, the Training Instructors and Trainees shall wear personal protective equipment or safety clothes in accordance with laws governing occupational safety, health and environment.

Article 17. Trainees may not use any tools, machines and equipment without permission. Upon completion of the training, the tools, machines and equipment shall be kept where they belong.

Article 18. The Training Unit is required to have in place a first aid room and medical supplies, medicines and necessary articles required for first aid.

In the event of an accident during the training, the Training Instructor or an officer of the Training Unit shall be notified and the affected person shall be given first aid or rushed to a hospital immediately.

In this regard, the Training Unit may have training accident insurance for Trainees.

Part 4

Training Measurement and Evaluation

Article 19. Measurement and evaluation of training shall be consistent with the objectives of each training subject and the Training Unit shall conduct the measurement and evaluation as specified in each Training Curriculum.

Article 20. Trainees shall have not less than 80% attendance in the training in order to be eligible to attend the training measurement and evaluation.

Article 21. Measurement and evaluation methods:

(1) There shall be measurement and evaluation activities from time to time during the training or at the end of the training as appropriate and consistent with contents of the Training Curriculum, both theoretically and practically.

In case of failure of the training, measurement and evaluation shall be conducted again and if the Trainee passes the evaluation, it shall be deemed that he/she has passed the training.

(2) Measurement and evaluation in each subject shall be calculated with 20% of the scores dedicated to theory and 80% to practice.

(3) If the Trainee cheats on a test, it shall be deemed that he/she "fails" the training.

Article 22. In case of any event that makes it impossible for a Trainee to participate in the measurement and evaluation on the date and time designated by the Training Unit, the Trainee shall notify the Training Unit not less than three working days before the measurement and evaluation date. If the Training Unit thinks fit, it may designate the new date of measurement and evaluation for such Trainee.

Article 23. Training measurement and evaluation:

(1) A Trainee must have completed all subjects specified in each training curriculum; and

(2) A Trainee shall earn not less than 60% of the total scores of the measurement and evaluation of the training in the Training Unit to pass the training measurement and evaluation of The Training Unit and be eligible to receive training in a business establishment.

Part 5

Training in Business Establishments

Article 24. A person who is eligible to receive training in a business establishment shall have the following qualifications:

(1) Being a Trainee of the Pre-Employment Training of the Training Unit;

(2) Passing the determined measurement and evaluation;

(3) Having attended the training and the last orientation from the officer before the training in business establishment; and

(4) Not being in a special project with a requirement or agreement to be exempt from training in business establishment.

Article 25. If a Trainee does not have any qualifications under Article 24, director of the Training Unit may consider granting an exception to such Trainee on a case-by-case basis.

Article 26. Duration of the training in business establishment shall be as provided in the training curriculum.

Article 27. The Training Unit shall specify the training place or if the Trainee wishes to find a training place on his/her own, approval of the Training Unit shall be obtained first. After selecting the training place, the Trainee may not change the training place, unless permission is granted by the Training Unit.

In the case where permission is granted by the Training Unit to change the training place under paragraph one, if the old training place certifies the training during such period, the time during which the Trainee receives training in the new training place shall be counted in addition to that of the old one until the training length prescribed in the Training Curriculum is reached.

Article 28. A Trainee who receives training in business establishment shall strictly comply with all rules and regulations of the Training Unit and advices of concerned officers regarding the training in business establishment.

Article 29. A Trainee who receives training in business establishment shall strictly comply with all rules and regulations of the training place, respect and obey a supervisor of that training place.

Article 30. A Trainee who receives training in business establishment is prohibited from demanding any remuneration or other benefits from owner of the training place or supervisor of the training, unless the Training Unit has made an agreement with such training place.

Article 31. Where the training place sends the Trainee back before the end of training period, the Trainee shall report to an officer at the Training Unit within seven working days or it will be deemed that the Trainee is absent and terminated.

Article 32. To take personal leave and sick leave, the Trainee shall proceed as follows:

(1) For personal leave, the Trainee shall submit a leave application to the training supervisor of the training place and shall be granted permission of an authorized person before taking leave; and

(2) For sick leave, the Trainee shall submit a leave application to the training supervisor of the training place on the first day of his/her return to the training place. If the sick leave is taken for three consecutive days or more, the Trainee is required to provide a medical certificate.

Article 33. Director of the Training Unit or his/her delegate shall visit and inspect the training of the Trainee in business establishment to give suggestions to the Trainee or be informed of problems and recommendations from the supervisor and owner of the training place at least once per each training place in a manner prescribed by the Training Unit.

Article 34. A Trainee who receives training in business establishment shall be responsible for sending the attendance sheet, evaluation documents, and employment opportunity to the Training Unit within seven days from the last day of training in business establishment.

Article 35. A Trainee who receives training in business establishment shall achieve not less than 80% attendance of the total training time in business establishment and be evaluated to have passed the training from that training place in order to pass the training in business establishment.

Article 36. The training in business establishment shall come to an end in the following cases:

(1) When the Trainee who receives training in business establishment reports him/herself to the officer and submits the attendance sheet, evaluation documents, and employment opportunity from the training place to the officer within seven working days from the completion date of training; or

(2) Where the training place will subsequently send the training result and employment opportunity of the Trainee who receives training in business establishment to the Training Unit, the Trainee shall report him/herself to the officer within seven working days from the completion date of training.

Article 37. The Training Unit shall arrange the last orientation for Trainees who have passed the training in business establishment to get them prepared for employment in the manner prescribed by the Training Unit.

Part 6

Termination of Traineeship

Article 38. Trainees shall be terminated for any one of the following reasons:

- (1) Death;
- (2) Resignation;
- (3) Lack of qualifications under Article 7;
- (4) Being terminated by an order of director of the Training Unit due to failure to comply with essential rules or regulations regarding training prescribed by the Training Unit; or
- (5) Having been adjudged guilty of a crime and imprisoned by a final judgment, except for a petty offense or an offense committed through negligence.

Part 7

Completion of Training

Article 39. Trainees shall have attended the training as stipulated under Article 20, passed the measurement and evaluation under Article 23, and passed the evaluation of training in business establishment to be considered to have completed the training and be eligible to receive the certificate of proficiency.

Trainees who have passed the training in or outside the Training Unit and passed the training in business establishment will receive a certificate from the Department of Skill Development where as those who fail the training in business establishment will only receive a certificate from the Training Unit.

The certificate of proficiency under paragraph one and the training performance certificate shall be in the forms designated by the Department.

Article 40. In case of loss or damage of the certificate of proficiency or the training performance certificate, the Trainee shall submit an application for a replacement certificate to the Training Unit of the Department of Skill Development that issued the certificate of proficiency or the training performance certificate in the form designated by the Department.

Article 41. Upon completion of the training, the Training Unit shall proceed as follows:

- (1) Prepare the training evaluation document in the form designated by the Department;
- (2) Submit a report of training results of the person completing the training in the form designated by the Department; and
- (3) Issue the training results document to the person completing the training if an application is filed by the person completing the training.

Chapter 2

Skill Upgrading Training

Article 42. An applicant for the training shall have the following qualifications:

- (1) Being not less than 18 years of age;
- (2) Having work experience, work, or knowledge in carrying out a job as provided in the Training Curriculum;
- (3) Being healthy, having no medical condition that may obstruct the training, and being able to attend the training throughout the training program; and
- (4) Not being addicted to narcotic drugs or having a serious communicable disease.

Article 43. An applicant shall produce his/her National ID Card or another identification document issued by the government agency.

Article 44. The Training Unit shall select applicants to attend the training by means of written examination, practical test, interview, or any other methods, taking requirements of each Training Curriculum into account.

Article 45. The training may take place in or outside the Training Unit.

Article 46. Duration of the Skill Upgrading Training shall be as prescribed in each Training Curriculum.

Trainees shall have not less than 80% attendance in the training in order to be eligible to attend the training measurement and evaluation.

Article 47. Trainees shall be terminated for any one of the following reasons:

- (1) Death;
- (2) Resignation;
- (3) Lack of qualifications under Article 42; or
- (4) Being terminated by an order of director of the Training Unit due to failure to comply with essential rules or regulations regarding training prescribed by the Training Unit.

Article 48. The Training Unit shall conduct the measurement and evaluation of training that is consistent with objectives of each training subject and as specified in each Training Curriculum.

Article 49. Trainees shall have attended the training as stipulated under Article 46, passed the measurement and evaluation under Article 48, and earned not less than 60% of the total scores in both theoretical and practical sections to complete the training and be eligible to receive the certificate of proficiency.

The certificate of proficiency under paragraph one shall be in the form designated by the Department.

Chapter 3 Second Job Training

Article 50. An applicant for the training shall have the following qualifications:

- (1) Being not less than 15 years of age, unless otherwise required by the Training Curriculum;
- (2) Being healthy, having no medical condition that may obstruct the training, and being able to attend the training throughout the training program; and
- (3) Not being addicted to narcotic drugs or having a serious communicable disease.

Article 51. An applicant shall produce his/her National ID Card or another identification document issued by the government agency.

Article 52. The Training Unit shall select applicants to attend the training by means of written examination, practical test, interview, or any other methods, taking requirements of each Training Curriculum into account.

Article 53. Duration of the Second Job Training shall be as prescribed in each Training Curriculum.

Trainees shall have not less than 80% attendance in the training in order to be eligible to attend the training measurement and evaluation.

Article 54. The training may take place in or outside the Training Unit.

Article 55. Trainees shall be terminated for any one of the following reasons:

- (1) Death;
- (2) Resignation;
- (3) Lack of qualifications under Article 50; or
- (4) Being terminated by an order of director of the Training Unit due to failure to comply with essential rules or regulations regarding training prescribed by the Training Unit.

Article 56. The Training Unit shall conduct the measurement and evaluation of training that is consistent with objectives of each training subject and as specified in each Training Curriculum.

Article 57. Trainees shall have attended the training as stipulated under Article 53, passed the measurement and evaluation under Article 56, and earned not less than 60% of the total scores in both theoretical and practical sections to complete the training and be eligible to receive the certificate of proficiency.

The certificate of proficiency under paragraph one shall be in the form designated by the Department.

Chapter 4

Provision of Training

Article 58. The training under Chapter 1, Chapter 2 and Chapter 3 may be conducted as it is deemed suitable for each Training Curriculum as per the following methods:

- (1) Regular training is the training in which both trainees and trainers or instructors are at the same place for both theoretical and practical sections;
- (2) Remote training via electronic media is the skill training conducted via electronic media where trainees and trainers or instructors do not have to be at the same place, but are able to communicate with each other by means of both images and voices throughout the training period; and
- (3) Self-training via electronic media is a form of self-training via a medium, which is online technology with a learning management system. The training is conducted via a communication network that covers measurement and evaluation systems as well as the systems of management and recording of data of the Trainees.

Chapter 5

Selection of Third-Party Instructors

Article 59. A third party who is eligible to be an instructor shall have any one of the following qualifications:

- (1) Having a minimum of a bachelor's degree in a field related to the training and having a minimum of one year of experience in teaching a particular trade or working in such trade;

(2) Having a minimum of a higher vocational certificate or an equivalent thereof in a field related to the training and having not less than two years of experience of teaching in a particular trade or working in such trade;

(3) Having a minimum of a vocational certificate or an equivalent thereof in a field related to the training and having not less than three years of experience of teaching in a particular trade or working in such trade;

(4) Having attended a coaching technique course for not less than 30 hours and having not less than two years of experience of teaching in the field of occupation related to the training or working in such field;

(5) Obtaining a certificate of completion of the National Skill Standard Test in the field of occupation related to the training and having not less than one year of teaching experience;

(6) Being an expert and having experience of working in a related field of occupation for not less than eight years; and

(7) Being experienced or skilled in the field of occupation being trained, provided that such field is a scarce one. This shall require approval of the Director-General.

Article 60. Director of the Training Unit shall appoint instructors under Article 59 (1)-(6).

Chapter 6
Other Provisions

Article 61. The training under this Regulation shall be conducted in conformity with the skill training quality assurance system as stipulated by the Department.

Article 62. In the case where another agency wishes to have the Department provide continuous training, the Department may do so only if there is a cooperation agreement between agencies.

Article 63. For any instances other than those stipulated herein, director of the Training Unit shall consider on a case-by-case basis.

Article 64. In the case where the Training Unit has commenced training before the date this Regulation comes into force, such training shall be governed by the old regulation until it is completed.

Announced on 15 March B.E.2566 (A.D.2023)

-Signature-

(Miss Buppa Reungsud)

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