A STUDY ON THE OPINIONS OF THE COMPETENT AUTHORITIES CONCERNED AND OF THE APPELLANTS TOWARDS THE PROCESS OF ADMINISTRATIVE SYSTEM IN PAYMENT OF COMPENSATION: APPEALED CASES

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A STUDY ON THE OPINIONS OF THE COMPETENT AUTHORITIES CONCERNED AND OF THE APPELLANTS TOWARDS THE PROCESS OF ADMINISTRATIVE SYSTEM IN PAYMENT OF COMPENSATION: APPEALED CASES

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ABSTRACT

There are problems in the efficiency and of the compensation payment system run by the competent authorities working for the Workmen's Compensation Fund at the seven Bangkok Regional Social Security Offices, Area 1 to Area 7. An analysis of the opinions of the competent authorities at the office and appellants to the office may accurately identify the problems. The purpose of this study is to evaluate opinions of the competent authorities and appellants about the administrative processes in payment of compensation for appealed cases.

Two questionnaires were designed for the evaluation of opinions. One was given to 59 of the 63 competent authorities spread over seven Bangkok Regional Social Security Offices. The other was given to 47 out of the 51 appellants.

The opinion of the competent authorities was that the performance of the administrative process was, measured overall, at the moderate level ($\overline{X}$= 3.18). The competent authorities, regardless of the length of time spent in their positions, agreed on most issues of compensation payment such as personnel and policy matters but there was disagreement on whether the system was appropriate and efficient. Also the competent authorities of Area 3 and Area 7 of the Regional Social Security Offices overall disagreed with the contention that there were adequate numbers of well-trained personnel. A comparison of the opinions of appellants and competent authorities showed a number of disagreements in all areas. These concerned issues such as registration problems, the speed of the process, and impartiality. Some thought that there were problems in verifying facts, providing timely service delivery and timely compensation, erroneous diagnosis leading to unfairness in payments, insufficient medical evidence and poor use of the Physical and Psychological Disability Evaluation Handbook. These problems could lead to poor decisions and lengthy appeals.

The recommendations of this study are that the compensation processes of Thailand should have the same direction and standards. Furthermore, the service should maintain the same quality and ensure equal rights in every case.

KEY WORDS: ADMINISTRATIVE SYSTEM / COMPENSATION / APPEAL / APPELLANT

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การศึกษาความคิดเห็นของเจ้าหน้าที่ที่เกี่ยวข้องและผู้อุทธรณ์ต่อกระบวนการบริหารงานในการสั่งจ่ายเงินทดแทน: ในกรณีที่มีการอุทธรณ์ (A STUDY ON THE OPINIONS OF THE COMPETENT AUTHORITIES CONCERNED AND OF THE APPELLANTS TOWARDS THE PROCESS OF ADMINISTRATIVE SYSTEM IN PAYMENT OF COMPENSATION: APPEALED CASES)

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บทคัดย่อ

มีปัญหาหลายประการในเรื่องประสิทธิภาพของระบบการบริหารงานในการสั่งจ่ายเงินทดแทนที่ดำเนินการโดยเจ้าหน้าที่กองทุนเงินทดแทนประจำสำนักงานประกันสังคมเขตพื้นที่ 1-7 ในกรุงเทพมหานคร การวิเคราะห์ความคิดเห็นของเจ้าหน้าที่ประจำสำนักงานและของผู้อุทธรณ์ที่ยื่นอุทธรณ์ต่อสำนักงานดังกล่าวสามารถจะจำแนกแยกแยะปัญหาเหล่านั้นได้อย่างแม่นยำ วัตถุประสงค์ของการศึกษาเรื่องนี้เพื่อประเมินความคิดเห็นของเจ้าหน้าที่และของผู้อุทธรณ์เกี่ยวกับกระบวนการบริหารงานในการสั่งจ่ายเงินทดแทนเฉพาะกรณีที่มีการอุทธรณ์

ในการประเมินความคิดเห็นครั้งนี้ได้สร้างแบบสอบถามขึ้น 2 ฉบับ ฉบับหนึ่งใช้สำหรับถามเจ้าหน้าที่ 59 คน จากจำนวนทั้งหมดรวม 63 คน อีกฉบับหนึ่งใช้สำหรับถามผู้อุทธรณ์ 47 คนจากจำนวนที่มีอยู่ 51 คน

ความเห็นของเจ้าหน้าที่คือการดำเนินงานตามกระบวนการบริหารงานในการสั่งจ่ายเงินทดแทนโดยรวมอยู่ในระดับปานกลาง ($\overline{X}$ = 3.18) โดยเจ้าหน้าที่ที่มีระยะเวลาการปฏิบัติงานต่างกันเห็นว่ามีปัญหาการบริหารงานในการสั่งจ่ายเงินทดแทนอยู่หลายประการ เช่น ในเรื่องบุคลากรและนโยบาย แต่ไม่เห็นว่ามีปัญหาทางด้านความเหมาะสมและด้านประสิทธิภาพของระบบ โดยสรุปเจ้าหน้าที่ของสำนักงานประกันสังคมเขตพื้นที่ 3 และ 7 ไม่เห็นด้วยต่อประเด็นที่ว่ามีบุคลากรที่มีความรู้ความสามารถและมีจำนวนที่เพียงพอต่อการปฏิบัติงานทุกขั้นตอน การเปรียบเทียบความคิดเห็นของผู้อุทธรณ์กับของเจ้าหน้าที่แสดงให้เห็นว่าทั้งสองกลุ่มมีความคิดเห็นในแต่ละงานแตกต่างกันอยู่หลายข้อ ทั้งประเด็นปัญหาในงานรับแจ้งเหตุ ความรวดเร็วในการดำเนินงานของระบบ และการไม่เลือกปฏิบัติ บางกลุ่มมีความคิดเห็นว่ามีปัญหาหลายประการทั้งในการสอบสวนข้อเท็จจริง การให้บริการที่ไม่ชักช้าและการจ่ายเงินทดแทนในระยะเวลาที่เหมาะสม ความผิดพลาดในการตรวจวินิจฉัยโรคที่นำไปสู่ความไม่ยุติธรรมในการสั่งจ่ายเงินทดแทน การขาดหลักฐานทางการแพทย์ และการที่ใช้คู่มือประเมินการสูญเสียสมรรถภาพทางกายและจิตในลักษณะที่ใช้บ้างไม่ใช้บ้าง ปัญหาเหล่านี้สามารถนำไปสู่การวินิจฉัยที่บกพร่องและการอุทธรณ์ที่ต้องใช้ระยะเวลานานเกินควร

ข้อเสนอแนะที่ได้จากการศึกษาครั้งนี้ คือ กระบวนการสั่งจ่ายเงินทดแทนในประเทศไทยควรจะมีแนวทางปฏิบัติและมาตรฐานอย่างเดียวกัน โดยเฉพาะอย่างยิ่งการให้บริการควรจะคงไว้ซึ่งคุณภาพและความเสมอภาคในทุกกรณี

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CHAPTER 1
INTRODUCTION

1.1 Background and Rationales

By the end of the year 2510 B.E., the Department of Public Welfare had proposed the Government to review the issue of social security step by step and put Social Security Project in the Third National Economic and Social Development Plan. Even being mentioned in the Third Plan as it shall be the Government's policy to put up the affairs of social security the Leader of the Coup d'état Group had suspended it. After being unsuccessful, the officers of the Department of Labor and the subject-matter specialists proposed to put the system of Workmen's Compensation Fund in the second Labor Act. The attempts were made because the disputes between employers and employees had been arisen out all the times. Those disputes, for example, were the problem of making decision that encountering such danger or ailment was arisen whether in the course of employment or not, the problem of paying the employee the compensation too late, the problem of giving a number of disabled employees at a time a layoff. In addition, in the case of some great accident, the employer was unable to give every employee the compensation to the full. So that to provide both employers and employees the rightful impartiality, the promotion of safety measures and occupational rehabilitation, having permanent security and speediness in making payment of compensation to the employees ailed or injured in the course of employment as same as that of the developed countries. During the period of the beginning of the establishment of the Workmen's Compensation Fund, Thailand had got a support as a team of consultants from the United States of America for laying plans of the Workmen's Compensation Fund since 2513 B.E. (Somchai Wattana, 2545: 39)

During a period of the following years, 2513 – 2517 B.E., the Department of Labor had prepared for studying all existed information concerned, the criteria and precedence required for setting rates of contributing capitation. Simultaneously, the limits of area and work place being under the responsibility and also within the protection network of the Workmen's Compensation Fund had been studied. In

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addition, handbooks and rules and regulations as the work guidelines had been issued. At the beginning, the Department of Labor had been opposed by many employers and insurance companies. But finally, the issue of the Workmen's Compensation Fund was put as the Item 3 of the 103rd Proclamation of the Revolutionary Party dated March 16, 2515 B.E. Thenceforward the Workmen's Compensation Fund had been established in the Department of Labor. So it could presume that it had been of the first attempt of being establishment of social security system to which giving any employee injured or ailed in the course of employment. Later, the Cabinet had given out the unanimous resolution of proclamation starting operation of the Workmen's Compensation Fund on January 1, 2517 B.E. (Somchai Wattana, 2545: 42-45)

On September 14, 2525 B.E., the Cabinet had approved that the Workmen's Compensation Fund, Department of Labor shall extend the limits of labor protection services to the case to which the employees encountering any danger or death not arisen in the course of employment as well. But such extension of limits had been beyond the scope of laws set forth. This is because the Workmen's Compensation Fund has been established to collect money as contributing capitation from the employers and then to pay as compensation to the employees in case of encountering any of dangers or ailments only arisen out and in the course of employment. The extension of such limits may be made by issuance of a new law.

On May 16, 2533 B.E., the meeting of the Ministry of Interior had approved the Social Security Bill and the Bill of amendment of the 216th Proclamation of the Coup d'état Group dated September 29, 2515 B.E. Then the Social Security Office had been established as a government agency of the Department level under the Ministry of Interior. The Workmen's Compensation Fund and executive power to which belonging to the Department of Public Welfare and the Department of Labor, the Ministry of Interior had been transferred to the Social Security Office. The Social Security Act has come into effect since September 2, 2533 B.E. Later, the Ministry of Labor and Social Welfare was established on September 23, 2536 B.E. and the Social Security Office had been transferred to the Ministry of Labor and Social Welfare since then.

In 2536 B.E., the Social Security Office had considered that the law concerning labor protection, the 103rd Proclamation of the Revolutionary Party dated March 16, 2515 B.E., being enforced not only adhered to many problems and

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restraints but also out-of-date to labor situations and industrial conditions being changed rapidly. So the Social Security Office issued the law concerning workmen's compensation and the Workmen's Compensation Fund in a completion one separated from the law concerning labor protection. It is called the Workmen's Compensation Fund Act B.E. 2537 to which being enforced these days.

The extension of affairs of the Workmen's Compensation Fund in the first year had covered only the workplace having 20 employees or more and being located within the limits of Bangkok. After that it had been extended to every province throughout the country since July 1, 2531 B.E. as illustrated in Table 1-1.

Table 1-1 Extension of affairs of the Workmen's Compensation Fund during 2517 – 2531 B.E.

B.E.	Province
2517	Bangkok
2518	-
2519	Samut Prakan, Nonthaburi, Pathum Thani, Samut Sakhon, Nakhon Pathom
2520	Chon Buri, Ratchaburi, Saraburi, Kanchanaburi, Songkhla, Phuket
2521	Chiang Mai, Lampang, Udon Thani, Khon Kaen, Nakhon Ratchasima
2522	Phra Nakhon Si Ayutthaya, Nakhon Sawan, Ubon Ratchathani, Surat Thani, Nakhon Si Thammarat,
2523	Phitsanulok, Yala, Ranong
2524	Phetchaburi, Prachuap Khiri Khan, Lop Buri, Chiang Rai, Buri Ram
2525	Rayong, Chanthaburi, Trang
2526	-
2527	Suphan Buri, Phangnga, Uttaradit
2528	Krabi, Kamphaeng Phet, Chachoengsao, Chaiyaphum, Chumphon, Narathiwat, Prachin Buri, Pattani, Phayao, Phichit, Phetchabun, Phrae, Maha Sarakham, Roi Et, Lamphun, Si Sa ket, Sakon Nakhon, Sukhothai, Surin, Nakhon Phanom
2529	Nan, Loei, Tak, Yasothon, Nakhon Nayok, Kalasin, Nong Khai, Samut Songkhram, Phatthalung, Satun
2530	Chai Nat, Sing Buri, Trat, Ang Thong
2531	Mae Hong Son, Uthai Thani, Mukdahan

Source: Somchai Wattana (2545: 44-45)
NOTE: After 2531 B.E., several new provinces had been established and the affairs of the Workmen's Compensation Fund were extended to every new province

Encountering any of dangers in the course of employment is one of the affects effecting employees. This is because the industrial development has not covered safety measures development since the time of its beginning. So the law prescribed

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that any of employees to which his/her employer had already paid the Workmen's Compensation Fund the contributing capitation being encountered any of dangers or ailments in the course of employment shall have right of getting compensation from the Workmen's Compensation Fund. The government agencies taking care for serving the employees such benefits are the Provincial Social Security Offices and the Bangkok Regional Social Security Offices. Those government agencies have played as an operational organization. Particularly, the Workmen's Compensation Fund has played as a technical organization as issuing and stipulating regulations and practical guidelines enabling those two agencies to perform their affairs the same standards. In this matter, the Workmen's Compensation Fund shall monitor, recommend, and support those two agencies to serve both employers and employees by means of placing emphasis on the convenience, in a shortest time, of righteousness and fairness, and with impartiality. In addition, it shall supervise and control them perform their affairs conforming their legal duties and the regulations set forth. (Somkiat Chayasiwongse, 2544: 2)

The services given to the employees in accordance with the Workmen's Compensation Act B.E. 2537 are the services given to the employee encountering any of dangers or ailments in the course of employment. But before making payment of any compensation to each case the competent authorities shall check that case the status of being employed, the date and time being registered the case, conducting verification the facts concerned, and making decision thoroughly. And for the sake of clearness in adjudicating the case the decision shall be divided into two parts, i.e., whether the encounter of such case arisen out and in the course of employment, and if so what kind of compensation shall be given to such employee. The compensation could be industrial death benefit, expense for medical treatment, expense for giving the employee the rehabilitation, and funeral expenses as the case may be. After accomplishment of decision making, the prescription for payment of compensation shall be issued to the employee under consideration. (Somkiat Chayasiwongse, 2544: 3)

In case of any newly discovered evidence being occurred or the employer, employee or his/her rightful owner(s) being dissatisfied to the decision issued, one of them shall have right to request for altering or changing such decision. This shall be conducted through the procedures provided in the Section 52 of the Workmen's

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Compensation Act B.E. 2537 that could be concluded as it shall be appealed in writing to the Committee within thirty days as from the date of receiving such decision. And if the appellant is still dissatisfied to the decision of the Committee, he/she shall have right of appeal by means of leading the case to the Industrial Tribunal within thirty days as from the date of receiving it. If nothing is done within such the timeframe, the decision of the Committee shall be of the final judgement as provided in the Section 53.

Each year, many cases of encountering any of dangers and ailments had been registered, led to being appealed and adjudicated by the Industrial Tribunal as illustrated in Table 1-2.

Table 1-2 Number of cases encountered any of dangers and ailments had been registered, led to being appealed and adjudicated by the Industrial Tribunal

Unit: Case

Item \ B.E.	2543		2544		2545	
	No.	%	No.	%	No.	%
Encountered any of dangers	184,013	100.00	191,681	100.00	195,849	100.00
Led to being appealed	397	0.21	222	0.12	722	0.37
Led to being adjudicated by the Industrial Tribunal	20	0.01	7	0.004	4	0.002

Source: The Worker's Compensation Fund, 2546.

Several problems being the constraint of performing works to which in conformity with the steps of conducting decision and making prescription of compensation payment were as the following.

In the first place, being lacked of knowledge and understanding relevant to the works under responsibility had caused many problems mentioned above. So the personnel shall have to be educated and understood on every aspect of the works concerned, e.g., not only laws but also social sciences and psychology, and especially they shall know about how to use medical evidence. In addition, if medical personnel, employers, and employees also had known and understood them, such performance would be accomplished step by step more rapidly.

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In the second place, not only the procedures being performed in conducting verification of the facts concerned and the decision on encountering any of dangers or ailments or suffering any of occupational diseases but also the issuance of prescription for the payment of compensation shall be done carefully. So all of the Provincial Social Security Offices, Bangkok Regional Social Security Offices, and the methods being used in expressing medical opinion shall be performed consistently with each other. In addition, it should have a standard frame for conducting diagnosis of every occupational disease so that more and more righteousness and fairness in the issuance of prescription for the payment of compensation could be achieved.

In the third place, some problems were arisen out because of using administrative procedures improperly as could be seen that some plans were performed incompletely or undone. These were because of having no personnel being known about planning. Sometimes the personnel had performed any plan improperly as they lacked of good coordination and following-up, and had no facilities needed for good work performance.

In the fourth place, some problems were arisen out due to carrying out any of ambiguous provisions provided in the Workmen's Compensation Act.

In the fifth place, some problems were arisen out due to certain aspects of personnel administration and being concerned with the group(s) of interest. These resulted in being tardiness of decision especially in the case to which the employee encountered any occupational disease.

In the sixth place, some problems were arisen out due to the overlapping of benefits concerned given by the Social Security Fund and the Workmen's Compensation Fund. This had led some employee seeking the agency to which giving him/her the more benefits by informing such agency a false case.

The reasons making the writer being interested in doing research on the "study and evaluation on the process of administrative system in payment of compensation to the appealed cases" were as the following. The background and rationales mentioned above had been of importance. The writer had been working for a private hospital serving several workplaces the services about their employees' occupational health, and their safety and environmental conditions, including taking care the health of their insured employees to which being the member of the Social

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Security Project. And its findings shall be able to be used in minimizing problems as well as decreasing burdens concerned and developing procedural systems being employed in conducting decision and issuing prescription for payment of compensation to be more appropriate as being optimized, standardized, and accountable. In addition, they shall be able not only to give every party concerned the righteousness and fairness but also to give and maintain the employees their good health and all safety totally and systematically, and to minimize the employers' expenses payable to the Workmen's Compensation Fund for contributing capitation.

1.2 Objectives of the Research

1.2.1 General Objective

The general objective of this study was as the following.

To study on the opinion of the competent authorities concerned and of the appellants towards the process of administrative system in payment of compensation to the appealed cases.

1.2.2 Specific Objectives

The specific objectives of this study were threefold.

1. To study on the opinion of the competent authorities of the Workmen's Compensation Fund working at the seven Bangkok Regional Social Security Offices towards the process of administrative system in payment of compensation concerning the following aspects. The registration of the cases informed because of encountering any of dangers/ailments/occupational diseases; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases.

2. To study on the opinion of the appellants in Bangkok towards the following aspects. The registration of the cases informed because of encountering any of dangers/ailments/occupational diseases; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases.

3. To compare the opinion of the competent authorities to that of the appellants towards the process of administrative system in payment of compensation concerning the following aspects. The registration of the cases informed because of

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encountering any of dangers/ailments/occupational diseases; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases.

1.3 Hypotheses of the Research

1.3.1 Hypothesis I

The competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices having different duration of work, and working at any different Bangkok Regional Social Security Offices shall have no different opinions towards the process of administrative system in payment of compensation.

1.3.2 Hypothesis II

The opinions of the competent authorities of the Workmen's Compensation Fund working at the seven Bangkok Regional Social Security Offices and of the appellants in Bangkok were not different towards the following aspects. The registration of the cases informed because of encountering any of dangers/ailments/ occupational diseases; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases.

1.4 Variables of the Research

1.4.1 Independent Variables

1. Independent variables concerning competent authorities of the Workmen's Compensation Fund working at the seven Bangkok Regional Social Security Offices were duration of work, place of work, and experience of work.

2. Independent variables concerning appellants were: duration of work; category or matter of appeal, i.e., danger-encountered group, and ailment/occupational disease-encountered group; and the causes of appeal, i.e., against the decision as none-of-the-course-of-employment group, and against the decision as inappropriately-payable- compensation group.

1.4.2 Dependent Variables

1. Dependent variables concerning competent authorities carrying out their duty concerning process of administrative system in payment of compensation

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for the Workmen's Compensation Fund at the 7 Bangkok Regional Social Security Offices in Bangkok were their opinion towards the following aspects. The process of administrative system in payment of compensation; the registration of the cases informed because of encountering any of dangers/ailments/occupational diseases; the verification of the facts concerned; the consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases.

2. Dependent variables concerning appellants were the opinion towards the following aspects. The registration of the cases informed because of encountering any of dangers/ailments/occupational diseases; the verification of the facts concerned; the consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases.

1.5 Scope of the Research

1. This research had been conducted to study and evaluate the process of administrative system in payment of compensation to the appealed cases in accordance with the following work steps:

1.1 Registration of the cases informed because of encountering any of dangers/ailments/occupational diseases;

1.2 Verification of the facts concerned;

1.3 Making out the consideration, decision, and prescription in payment of compensation; and

1.4 Affairs concerning appeal cases

2. The two groups of population used in this research were the competent authorities of the Workmen's Compensation Fund working at the seven Bangkok Regional Social Security Offices and the appellants in jurisdiction of all seven Bangkok Regional Social Security Offices. The total number of population was 114.

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1.6 Definition of Terms

Bangkok Regional Social Security Offices Either any of or, as the case may be, the whole of the following seven Bangkok Regional Social Security Offices. The Bangkok Regional Social Security Office, Area 1 (Din Daeng); the Bangkok Regional Social Security Office, Area 2 (Bang Khuntien); the Bangkok Regional Social Security Office, Area 3 (Ram Indra); the Bangkok Regional Social Security Office, Area 4 (Klong Toey); the Bangkok Regional Social Security Office, Area 5 (Chatuchak). Also the Bangkok Regional Social Security Office, Area 6 (Thonburi), the Bangkok Regional Social Security Office, Area 7 (Phra Nakhon), including the Medical Coordination Division, and the Social Security Office at Tiwanonda Rd.

Compensation The money payable as workmen's compensation for either any of industrial death benefits or the expenses for either medical treatment or rehabilitation of working ability or funeral rites. Such money may be payable directly to the employee for the encounter of dangers or ailments or disappearance in the course of employment or to his/her rightful owner(s) in accordance with the Section 20 of the Workmen's Compensation Fund Act B.E. 2537.

Appeal Making any requests by either the employer or employee or his/her rightful owner(s) in accordance with the Section 20 to the Committee of the Workmen's Compensation Fund or to the Industrial Tribunal as the case may be. Such requests were taken for rehearing or reviewing his/her case against the order or decision issued by any of the competent authorities mentioned in the Workmen's

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Compensation Fund Act B.E. 2537 those had been taken to appealed cases during B.E. 2543 - 2545.

Competent authority Any personnel including officers and permanent employees who had performed any of the following official affairs at any of the seven Bangkok Regional Social Security Offices. The registration of the cases informed because of encountering any of dangers/ailments/ occupational diseases; the verification of the facts concerned; the consideration, decision, and prescription making in payment of compensation; the affairs concerning appeal cases.

Appellant Any employee or his/her rightful owner(s) in accordance with the Section 20 of the Workmen's Compensation Act B.E. 2537 who appealed the case for himself/herself or the employer or his/her representative who appealed the case in lieu of such employee or his/her rightful owner(s).

Process of administrative system in payment of compensation The administrative policy leading to clear-cut and practicable performance, effectively applicable objectives, clear-cut structures, well-educated and experienced and responsible administrators, and in adequate numbers of well-educated and capable personnel for accomplishing all steps of work. Also leading to a solely standardized system to which being employed throughout the country,

a lump of sufficient budget needed for carrying out all responsible affairs, efficiently internal and external coordination, following-up and evaluation of work performance in order to improve and solve problems arisen in each step systematically. And finally leading to be of appropriateness, efficiency, and fairness.

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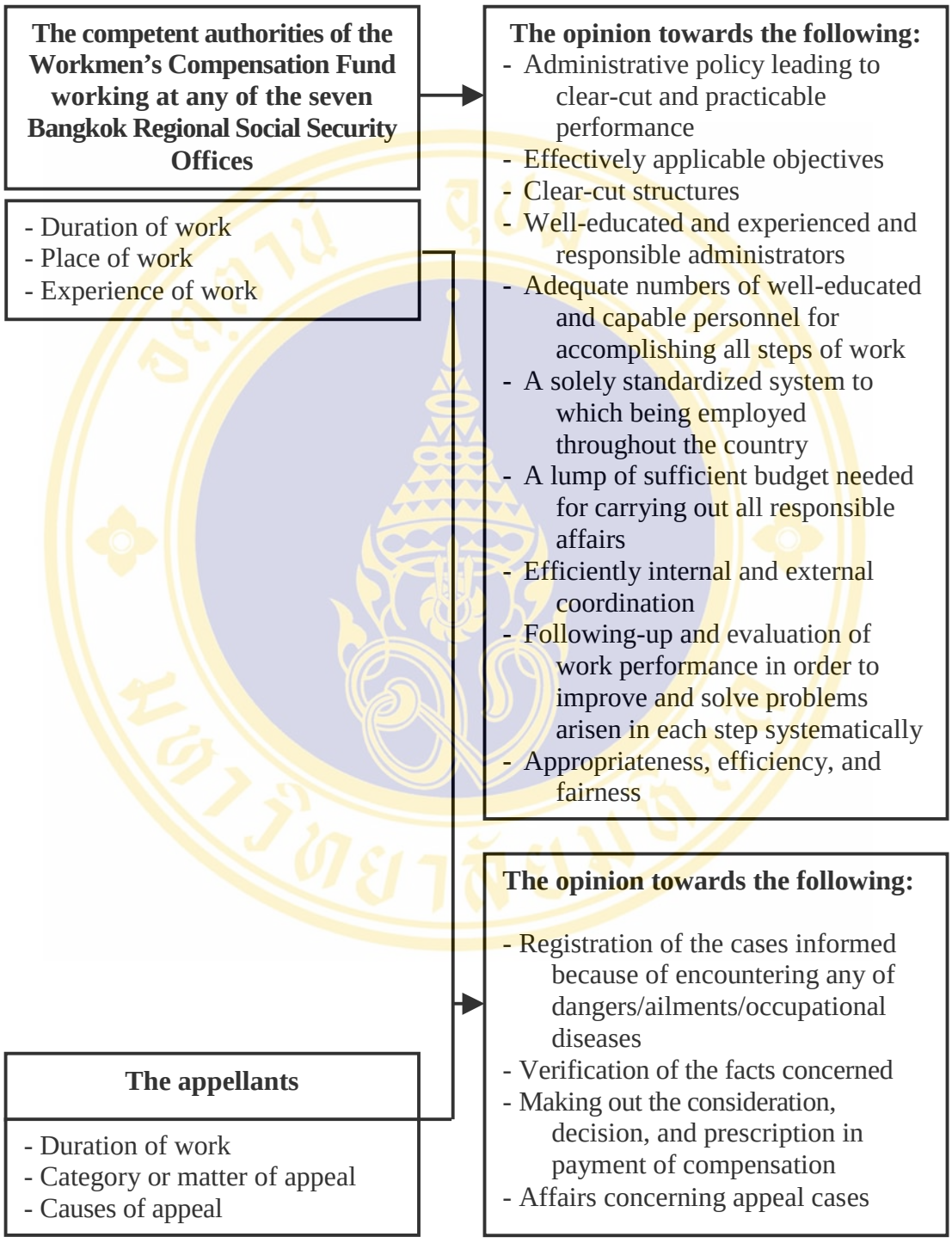
1.7 Conceptual Framework



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CHAPTER 2
REVIEW OF LITERATURE

Review of literature concerning study and evaluation on the process of administrative system in payment of compensation to the appealed cases was divided into 5 sections.

1. Concepts concerning compensation
2. Compensation systems of Thailand and some other countries
3. Concepts and theories concerning administrative system and evaluation
4. Evaluation on the process of administrative system in payment of compensation in appealed cases
5. Research findings concerned

2.1 Concepts concerning compensation

Compensation means the money payable to any of employees or his/her rightful owner(s) in the case of encountering any of dangers or ailments or meeting the death while performing duty, or suffering from diseases occurred by the environment of working place or from occupational diseases. The purpose of paying such compensation is to give the employee and his/her family the financial assistance for medical expenses and loss of earning during the period of being bedridden, remedial, and recuperative.

Rule of protection persons earning themselves as employee for their living security and their social security has regarded that work accidents and occupational diseases are of stronger consideration of several countries prior to other rules. Many countries, e.g., the United States of America, have employed rule against the risk of work so that the employers shall be liable for compensation to the damage of their employees caused by encountering dangers or ailments, or meeting the death while performing duty, or being suffered from occupational diseases. In this case, all affairs shall be conducted in conformity with the rule and method prescribed in accordance

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with the provisions of Workmen's Compensation Act and it shall regard this compensation is a part of the production. Before the issuance of the Workmen's Compensation Act, the employees encountered any of dangers had to claim such compensation from their employer themselves. Furthermore, they had to prove that each cause of damage as the guilt of their employer was due to the omission to comply with good practices or the negligence of their employer himself.

Nowadays the concepts concerning the responsibility of the employers to their employees at work can be divided into three major categories.

The first concept: It regards any employee as the person who works voluntarily for his employer and his employer shall be liable to him as paying him only the wage that was designated by mutual agreement in advance. After the wage payment, all legal responsibilities of the employer to his employee(s) shall be immediately terminated. All of ailments or work accidents that may be occurred in working duty shall regard as the responsibility and the own risk of the employee himself. The employee shall work with good cares because each employer is still in a risk of loss and uncertainty of his business condition forever and ever. This concept was originated at the early of the 19th century where the industrial development had been at the beginning period.

The second concept: The matter of this concept is controversial to that of the first as it is viewed that the employers shall be liable to give compensation to their employees damaged by encountering any of dangers or ailments or being suffered from occupational diseases. This is the own consciousness of good humanity and social righteousness of the productive relationship itself. In addition, employers own factors of production affair and are in a position to have an advantage over their employees in the social economic system so that they shall be liable to give compensation to their employees who are at a disadvantage and of inferiority.

The third concept: It is viewed manpower as same as one of the other factors such as technology, machine, and device those are employed in a production to which maintenance and repair are necessarily made where they are damaged. Thence any employer as the owner of all his manpower damaged at work shall be liable to give each of them the remedy as to help them are in a good condition and able to make a continuation of work. The third concept is widely accepted in these days because the

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bargaining power of employees has been increased so that the employers have to express themselves being much better for the sake of humanity and employees' manhood. In addition, the Government has accepted the workmen's compensation for the sake of social fairness and the peace of the industrial realm and the public.

In Thailand, the concept of compensation has been come into effect in and from B.E. 2499 to which all of the employers are liable to their employees damaged at work since then. As the Government enacted the Manpower Act B.E. 2499 in that year, the employers shall be payable to their employees the compensation in accordance with decision given by the competent authority. Later, abrogation of Manpower Act B.E. 2499 was made in B.E. 2501 during the times of Field Marshall Sarit Dhanaratana.

In B.E. 2515, the Government administered by Field Marshal Thanom Kittikajorn made the issuance of the 103rd Proclamation of the Revolutionary Party dated March 16, B.E. 2515 to establish the Workmen's Compensation Fund. Its result is that the every employer is liable to pay his employees the compensation if they either encountered any of dangers or ailments, or met the death at work, or are suffered from any occupational diseases. Such compensation can be divided into 2 types as the following.

Type 1: It is the amount of compensation payable where the number of employees in each employer's premises is less than 20. In this case, the employers are not liable to pay contribution to the Workmen's Compensation Fund but pay it as the compensation directly to the employee who is the holder of such right that informs his requisition to his employer. Because the compensation of this type is outside the Workmen's Compensation Fund, it is legally called as the external compensation of the Workmen's Compensation Fund. Being subjected to the provisions of the law, any employer shall inform the case of encountering dangers of his employee within 15 days from the time of knowing such fact. Then the competent authority shall make the issuance of order for enforcing employer to pay the employee the compensation. In Bangkok Metropolitan, the employers shall inform such case at the External Compensation Sub-Division, the Workmen's Compensation Office. And in other provinces, the employers shall inform such case at the Provincial Social Security Office.

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Type 2: It is the amount of compensation payable where the number of employees in each employer's premises is more than 20. In this case, the employers are liable to pay the Workmen's Compensation Fund the contribution in accordance with the rates to which being appropriate to the nature of the existing risk in each particular work. Then the Workmen's Compensation Fund acts as the place of payment to pay any damaged employee in employer's stead so that the employees are able to make his reimbursement from the Workmen's Compensation Fund rapidly and at a full measure as provided by the law.

The procedures of decision making for judging compensation dealt by competent authority can begin in 3 ways: Encountering any of dangers or being suffered from any of occupational diseases is informed; Requisition for the reimbursement of compensation is made; and Such case manifests itself to the competent authority. The matters to which able to be under decision making procedure can be divided into 3 cases (Social Security Office, 2540: 89-90) as mentioned below.

1. In case of encountering dangers at work, on the other hand, injured by working for the employer, e.g., falling of a machine on hand(s) heavily, the employee then can get his compensation himself within the same day that his requisition is submitted. And in the case that the requisition is submitted not by the employee himself, he will get the letter of decision notification within 1 week from the time of receiving his requisition.

2. In case of being suffered any ailments due to performing work, e.g., bronchitis caused by dust existing in construction sites, dermatitis caused by chemical allergy, etc., its practical affairs are as same as that of encountering dangers at work. The employee is able to get his compensation if the findings of verification indicate that working environment is the cause of his ailments.

3. In case of being suffered any occupational diseases, e.g., byssinosis, lead poisoning or toxonosis caused by lead or any of its compounds, etc., it shall be necessary of being under consideration of the specialist of medical profession, or of the Medical Committee. In this case, further evidences such as the remedial records, laboratory examination and test results, information concerning working environment, chemicals used, sometimes as the case may be, are necessarily adduced. But such adduce further evidences shall be requested only in the case to which in so far as it is necessary.

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2.2 Compensation systems of Thailand and some other countries

The compensation systems of Thailand and some other countries, i.e., the United States of America, and the Great Britain could be concluded as the following.

2.2.1 Compensation systems of Thailand

In Thailand, Workmen's Compensation Fund was established in B.E. 2515 under the Department of Labor in accordance with Social Security Act as the adherence of the 103rd Proclamation of the Revolutionary Party dated March 16, B.E. 2515. Thailand is the 82nd of the world's countries having Workmen's Compensation Fund, and the 141st world's countries enforcing Social Security Act intentionally. (Among Asian countries, Thailand promulgated Social Security Act as the 18th country.)

The Workmen's Compensation Fund of Thailand is responsible to provide the employees who were encountered any of dangers/ailments/occupational diseases, or dead caused by their work, or suffered from any of diseases caused by their work conditions or working environment. At the beginning, it was under the Department of Labor, the Ministry of Interior. As the recommendation given by the Workmen's Compensation Fund Committee, the rates of contribution payable as the counterpart fund that the employers have to pay for their liability to the Workmen's Compensation Fund were first proclaimed on June 11, B.E. 2516. And then the first amount of contribution was collected on January 1, B.E. 2517.

After the establishment of the Social Security Office as the adherence to the Social Security Act B.E. 2533, The Workmen's Compensation Office, Department of Labor, Ministry of Interior was transferred to the Social Security Office, Ministry of Interior on the 3rd of September B.E. 2533. And after the establishment of the Ministry of Labor and Social Welfare on the 23rd of September, B.E. 2536, the Workmen's Compensation Office and together with the Social Security Office were transferred from the Ministry of Interior to the Ministry of Labor and Social Welfare.

The Royal Decree Dividing Offices of the Social Security Office, the Ministry of Labor and Social Welfare B.E. 2537 as mentioned in Section 5 provides that the Workmen's Compensation Office shall have power and authority as the following.

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1. Setting up rates of contribution, collecting contribution for the Workmen's Compensation Fund, and earning benefits from money of the Workmen's Compensation Fund.

2. Receiving, paying, and keeping money, issuing balance sheet and financial reports of the Workmen's Compensation Fund.

3. Carrying on the setting up prescription of compensation and paying compensation to self-insured employers and the holders of right to get compensation in adherence to the Labor Protection Act particularly in the cases concerning compensation and the Workmen's Compensation Fund.

4. Carrying on the secretarial affairs of the Workmen's Compensation Fund Committee.

5. Monitoring employers' conduct to be conformable to Labor Protection Act particularly in the cases concerning compensation and the Workmen's Compensation Fund.

6. Cooperating or giving support to the affairs of the other government agencies concerned or assigned.

Because the Workmen's Compensation Fund is one of the Social Security Projects and also close coordination shall be made, the administrative affairs of the Workmen's Compensation Fund is necessary to be under responsibility of the Social Security Office. The administrative affairs of the Workmen's Compensation Fund have been currently carried by the Workmen's Compensation Fund Committee which consisted of employer representatives, employee representatives, and specialists as its members, and the Secretary-General of the Social Security Office as its Chairman.

At present, the Workmen's Compensation Fund carries its affairs in adherence to the Workmen's Compensation Act B.E. 2537 that has come into effect since July 1, B.E. 2537. The essence of this Compensation Act is to separate the provisions of law concerning workmen's compensation and the Workmen's Compensation Fund into a complete Act, and of individuality as compare with the Labor Protection Act. Providing that the responsible agencies are able to execute provisions concerned efficiently, as well as to help and protect both employees and employers more appropriately and righteously especially in promoting roles for safety. In addition, it is the first act to which enacted by the Ministry of Labor and Social Welfare.

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The compensation set up by the Workmen's Compensation Act B.E. 2537 to which the any employer shall be payable to the employee damaged at work can be divided into 2 categories as the following.

1. In the case of employee working in the premises where his employer shall be liable to pay contribution to the Workmen's Compensation Fund. On the other hand, it is the business having more than 10 employees except the employees working in any business of cultivation, fisheries, forestry, and animal husbandry to which employees are needed periodically throughout the year and no work of other kinds is included. The Workmen's Compensation Fund shall be payable compensation to the employee in the employer's stead as the following.

1.1 Medical treatment expenses.

1.2 Rehabilitation of working ability expenses.

1.3 Funeral expenses; and

1.4 Monthly compensation (60% of the monthly wage) which can be divided into the following cases:

(1) Compensation for being of incapability to do work for a duration of at least 3 days;

(2) Compensation for loss of any of organs;

(3) Compensation for infirmity; and

(4) Compensation for being death or disappearance.

2. In the case of employee working in the premises where his employer shall be liable not to pay contribution to the Workmen's Compensation Fund. When any employee encountered any danger, his employer shall inform such event to the Workmen's Compensation Fund so that the competent authority shall give such employer the order that he shall draw compensation and pay it directly to such employee.

The Workmen's Compensation Office is a government agency at the Division level of the Social Security Office. It consists of the following 1 Section and 3 Sub-Divisions:

1. General Administration Section;
2. Contribution Rating Sub-Division;
3. Workmen's Compensation System Development Sub-Division; and
4. Appeal Sub-Division.

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The Process of administrative system in payment of compensation

The process of administrative system in payment of compensation of Thailand consists of several affairs. This study was conducted only on 4 important affairs concerning the administrative system in payment compensation, i.e., registration of the cases informed; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and affairs concerning appeal cases. Their details can be summarized as the following.

1. Registration of the cases informed as encountering any of dangers/ ailments/occupational diseases

In carrying on the affairs of the Workmen's Compensation Fund about the registration of the cases informed as encountering any of dangers/ailments/occupational diseases, all of the administrators and competent authorities shall have a right and clear concept on 2 things, i.e., requirement of law concerned, and practice procedures.

1. Requirement of law concerned. Registration of any case informed shall be conformable to the Workmen's Compensation Act B.E. 2537 systematically step by step, i.e., information of the case, submission of the request for compensation, verification of the facts, and issuance of decision respectively.

1.1 Information of the case. Information of the case, e.g., encountering of any of dangers/ailments or disappearance of any employee, shall be made at the Bangkok Regional Social Security Office where it is the domicile of either the employee or employer within 15 days. That is a period from the time of knowing or ought to know such case. And every case shall be informed by using Form WFC.16, the official form issued by the Secretary-General of the Social Security Office

1.2 Submission of the request for workmen's compensation. The employee or his/her rightful owner(s) as prescribed as the provision of Section 20 shall submit the request for workmen's compensation to the Bangkok Regional Social Security Office where it is the workplace of the employee, or the domicile of his/her employer within 180 days. And the Form WFC.16, the official form issued by the Secretary-General of the Social Security Office shall be used. This is conformable to the provision of the Section 49 prescribed as the following. "When encountering any of dangers/ailments or disappearance of employee is the case, such employee or his/her rightful owner(s) as prescribed in Section 20 shall submit the request for workmen's compensation to

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the Bangkok Regional Social Security Office. The request shall be filled in official form to which issued by the Secretary-General of the Social Security Office. The Bangkok Regional Social Security Office shall be of the region where it is also the site of either the employee's workplace or the employer's domicile. In addition, the request shall be submitted within one hundred and eighty days from the time of knowing the case of such employee encountering danger/ailment or disappearance as the case may be."

2. Practice Procedures. Practice procedures for receiving incoming cases can be divided into 2 categories, i.e., the ordinary cases, and the cases that extension of time for submitting workmen's compensation request is made.

2.1 The ordinary cases. After receiving official form to which informs the case of encountering any of dangers or ailments and requests for workmen's compensation (Form WCF.16), the following procedures of inspection shall be conducted.

(1) Checking whether the date of encountering any of dangers or ailments of such employee and the date of receiving request for workmen's compensation (Form WCF.16) is within the duration of 180 days.

(2) Checking records of encountering danger statistic (WCF.7)

(3) In the case that any employer made the registration of contribution retroactively as after his/her employee's encountering any dangers or ailments, all of documents and evidences of such case shall be scrutinized intensely. Because there are many employers who try to turn their liability to that of the Workmen's Compensation Fund by informing false return. For example, an employer having less than 10 employees at the time his/her employee encountering danger or ailment informs that he/she has had 10 employees since the date before his/her employee's encountering such danger. This is come true because certain employers need to register their number of employees to the Workmen's Compensation Fund falsely in order to intend the Workmen's Compensation Fund is payable such compensation to the employee who encountered danger or ailment instead of such employers themselves.

(4) Checking Form WCF.16.

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2.2 The cases that extension of time for submitting workmen's compensation request is made. In receiving compensation request that extension of time for its submission is made, it shall follow the official document of Reference No. LS 0711/9912 dated December 24, B.E. 2541 issued by the Social Security Office to which giving prescription of practical procedures for the cases that extension of time for submitting workmen's compensation request is made in accordance with the Workmen's Compensation Act B.E. 2537.

2. Verification of the facts concerned

The prescription of methods and procedures for exercising verification of the facts concerned given by the Workmen's Compensation Fund intends as the competent authorities' means of 3 categories: exercising verification of the facts concerned; searching evidences; recording pleadings; and weighing evidences (The Social Security Office, 2542: 48-49). Their details in brief are as the following.

1. Exercising verification of the facts concerned. After receiving the case that the employee encountered any of dangers or ailments and the request for workmen's compensation (Form WCF.16), the competent authority shall inspect it thoroughly whether its evidences are of no adequacy. If so, the verification of the facts concerned shall be exercised.

2. Searching evidences. After figuring out the point(s) of issue, the competent authority shall search all relevant evidences concerned to get the facts of each point.

3. Recording pleadings. The competent authority shall record all pleadings as the evidences that who are the persons involved and or known of the whereabouts. It shall record all their names and domiciles, make inquiries into the matter of them, and also record their pleadings. Recording pleadings is one of the ways to search evidences concerned. Normally, it is of the first priority to be done by the competent authority in making inquiries. And because it is of importance, the competent authority shall record pleadings in accordance with the rules of inquiry.

4. Weighing evidences. After collecting all of evidences, the competent authority shall adjudicate all pleadings of every oral evidence, documentary evidence, and material evidence thoroughly. In general there are no fixed rules in weighing evidences but it is even better if made it in accordance with the following criteria.

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4.1 Weighing oral evidences. It can be weighed by placing close consideration on the total working period of any oral evidence, the period between the point of time where such event occurred and the point of time where such oral evidence presented for giving his/her pleadings, and also the manner of oral evidence. Because oral evidences are the persons being known the whereabouts better than that of the others, the pleadings to which being conformable to those of the others of the same event shall be evidences of good weight and preponderance.

4.2 Weighing documentary evidences. It shall be not only the genuine document but also the document of primary evidence, legality, and original. In addition, any of the parties in interest shall give his/her consent before using any of secondary evidence of documents. Even though any document evidence seems to be very believable, the competent authority has his own judgement either to believe it or place it as being unbelievable.

4.3 Weighing material evidences. Weighing material evidence under consideration is solely depended upon the judgement of any competent authority himself. And, of course, no criteria can be given by commonsense.

3. Consideration, decision, and prescription making in payment of compensation

After receiving official form to which informs the case of encountering any of dangers or ailments and requests for workmen's compensation (Form WCF.16), the competent authority shall consider that whether the facts concerned are sufficient for making out the decision and then the prescription in payment of compensation. Then the competent authority shall work of filing documents and giving decision and prescription in payment of compensation in according to the following procedures.

1. Filing documents. Filing documents for making out the consideration, decision, and prescription in payment of compensation, the competent authority working as the adjudicator shall file documents in according to the following steps.

1.1 After receiving official form informing the encounter any of dangers or ailments and request for workmen's compensation (Form WCF.16) and along with its documentary evidences concerned as an incoming case, record it in the registration book.

1.2 Check that whether everything filled in Form WCF.16 is right.

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1.3 Check that whether medical certification included is right, completely filled, and conformed to the encounter of such danger(s) or ailment(s) mentioned in Form WCF.16 submitted. Medical certification issued by a clinic or hospital in its own form shall be legally valid mutatis mutandis. Firstly, checking details of such medical certification shall be made thoroughly whether they are sufficient for giving good decision of the case. If so, the decision shall be given immediately. If not, with any reasonable doubt of adjudicator, further medical evidences, i.e., any of medical records, shall be requested for gaining more details to make each case clear-cut.

1.4 The request of delivery of medical evidences and other details shall be made in accordance with the requirements of law and practical procedures set forth for issuance of such request.

1.5 If Form WCF.16 and its documentary evidences are sufficiently clear-cut for giving decision, then the decision shall be proceeded.

1.6 In giving decision of every case, all cards and forms concerned shall be filled completely.

2. Giving decision and prescription in payment of compensation. The Section 50 of the Workmen's Compensation Act B.E. 2537 provides that the competent authority shall be able to give decision and prescription in payment of workmen's compensation at his own discretion, and of course, without delay. But the speediness of discretion making is depended largely upon the types of such case itself, whether it is of the case that either enables or disable to be of instancy.

2.1 The case enables to be of instancy. This is the case where it is clear that encountering such danger was caused by or due to doing work on duty and within the employer's premises. For instances: the finger of employee working as the operator of a metal pressing machine was cut by such machine; the body of employee working as a construction worker was cut by a metal sheet; or his foot was pierced by a nail at the construction site. In this case, the competent authority working as adjudicator is able to give a good decision immediately after receiving request from employer or employee, as well as where the occurrence of the case manifests itself to him.

2.2 The case disables to be of instancy. This is the case of having any doubt that whether encountering such danger was caused by or due to doing work on

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duty. For instances: a car accident occurred either outside employer's premises or not during the period of working hours or office hours, or a bodily injury or getting any ailment or disease to which everybody, not only the employee, is able to be or get it. In this case, the competent authority shall inquire and investigate about the facts thoroughly, and make request for any of documentary evidences and other evidences concerned including their appurtenance before giving any decision and prescription.

All these shall be exercised in accordance with criteria for giving decision of workmen's compensation and criteria for giving decision in case of encountering any of occupational diseases as the following.

1. Criteria for giving decision of workmen's compensation. Practically, giving decision of workmen's compensation in the case of encountering any of dangers at work is not problematic. But in the case of encountering any of ailments or occupational diseases, the competent authority shall employ his capability and experience sufficiently. The Workmen's Compensation Fund provided criteria for giving decision of workmen's compensation into 2 main criteria as the following.

1.1 Ordinary criteria (In case of encountering any dangers). The cases to which being countable as encountering any dangers due to doing work for employer are characterized by the following evidences.

(1) Encountering any of dangers in the employer's office or premises shall be counted as encountering any dangers due to working for employer. This is because all employees shall work for their employer in the office or the premises of their employer.

(2) Encountering any of dangers during the period of working hours or office hours shall be counted as encountering any dangers due to working for employer. But encountering any of dangers before of after the period of working hours or office hours may or may not be counted as encountering any dangers due to working for employer.

(3) Encountering any of dangers due to working for the employer is not necessary to be occurred only during the period of working hours or office hours and in the employer's premises or office. So if the facts indicate that encountering any of such dangers is due to working for the employer, even not within the period of

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working hours or office hours or outside the employer's premises or office, the employer shall be liable in payment of workmen's compensation to his employee.

(4) In the case that any salesman working as traveling to the provinces or any employee working likewise, full coverage has been in effect since he begins his travel to arrives at his home. But encountering any of such dangers shall be due to the nature of that work itself.

(5) In the case that any employee is given the employer's order that he/she must be a participant in athletic activities, e.g., being trained and participated sports, etc., it shall be counted as working for his/her employer. If he/she encounters any of dangers, it shall be counted as encountering any dangers due to working for his/her employer.

(6) Encountering any of dangers in the employer's premises or office during the period of working hours or office hours even it is not the direct result of doing work but unsuitable or unsafe working environment, it shall be counted as encountering dangers due to working for his/her employer.

1.2 Extraordinary criteria. In some cases, even encountering any of dangers of the employee is not either in the employer's premises or office during the period of working hours or office hours, it shall also be counted as encountering dangers due to working for his/her employer. Such cases shall be of the following.

(1) Encountering dangers due to the action that the employee had specially given for protecting his/her employer's interest beyond his/her regular duty.

(2) Encountering dangers due to the nature or quality of work shall be counted as encountering dangers due to working for employer (in accordance with the definition "no encountering any of dangers and ailments" of Section 5 of the Workmen's Compensation Act B.E. 2537). The details of criteria for giving decision in case of encountering any of dangers due to the nature or quality of work to which it is the case of encountering any of ailments due to the occupational diseases shall be mentioned hereby as the following.

2. Criteria for giving decision in case of encountering any of occupational diseases.

2.1 The competent authority shall consider from the detailed filled in the Form WCF.16 (the form to which either employer or employee shall use to inform the

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encountering any of dangers and its details) accompanied by medical certificate(s) issued by the physician giving treatments to such employee. The competent authority shall consider on the following items: the duty, nature of work, total working period, and age of the employee; chemicals or materials to which contacted or touched by the employee; and the symptoms of disease(s) and the decision given by the physician mentioned in each medical certificate.

2.2 In case of some external diseases, e.g., rash caused by touching certain chemicals, and certain unexpected situations occurred in the employer's premises or office, e.g., chest pain and suffocation of the employee caused by leakage of ammonia, it shall be reasonable to give decision as caused by occupational disease. And further evidences shall not be needed. Except after that such employee is worsen the competent authority shall submit the case to the Medical Committee for reconsideration. If it is the disease that affects to the internal organs, the competent authority shall find additional evidences and submit them to the Medical Committee for further reconsideration. The additional evidences shall be as the following.

(1) Evidences as the facts concerning employee. The employee shall be inquired directly to get more information about his/her chronological events and places of work in the past. This shall include the total working period, duty and quality of work, working behavior, (e.g., whether use or no use of personal protection device), touched and contacted chemicals and materials, duration of touch or contact, and the environment of his/her residence or dwelling place.

(2) Evidences as the facts concerning employer's premises or office. This shall be concerned with employment behaviors (Is there any interest of employing safety measures? What are the environmental conditions of working place? Are there any instructions advised and protection measures being used for working with any disease causing substances?).

(3) Evidences as the medical records of the physician to which giving such employee the treatments. For examples, a medical certificate, a copy of medical record, a roentgenogram, the findings of currently physical and biological analyses, and the chronological records of disease incidences in the past of such employee.

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4. Affairs concerning appeal cases

According to the Workmen's Compensation Act B.E. 2537, either the employer, or the employee, or the employee's rightful owner(s), or the employee's dependant(s) shall have right to submit the request using Form WCF.16 as a case to inform encountering any of dangers or ailments or disappearance of the employee. After the submission of such case or it manifests itself, the competent authority shall proceed for its consideration, inquiry, and give out decision whether such employee himself/herself or his/her rightful owner(s) or his/her dependant(s) are capable or incapable of right to get workmen's compensation. In case of adjudicating such employee is capable of right to get workmen's compensation, the order of Workmen's Compensation Competent Authority commanding his/her employer to pay him/her such workmen's compensation shall be issued. Of course, all this shall be proceeded without delay in conformity with Section 50 of the Workmen's Compensation Act B.E. 2537. A copy of the decision given or the order of Workmen's Compensation Competent Authority shall be sent to either the employer, or the employee, or the employee's rightful owner(s), or the employee's dependant(s) or the claimant(s) as the case may be.

After the competent authority being responsible to the case had proceeded such case according to the Workmen's Compensation Act B.E. 2537 through making consideration, investigation, and collection of evidences until the case was unequivocal, then the decision was given. Such decision as the consequential command or the result of consideration of the case shall be sent to either the employer, or the employee, or the employee's rightful owner(s), or the employee's dependant(s). If it is unsatisfactory, either the employer, or the employee, or the employee's rightful owner(s), or the employee's dependant(s), or the claimant shall appeal against it in writing to the Workmen's Compensation Committee within a period of 30 days after the time of receiving such decision. Then the Workmen's Compensation Committee shall put it under consideration and inform their decision as the finding to the appellant according to Section 52. If it is unsatisfactory to the appellant, he/she shall take it go at a lawsuit of the Industrial Tribunal within a period of 30 days after the time of receiving such decision from the Workmen's Compensation Committee. If there is no appeal, the case shall be of discontinuance with such decision of the Workmen's

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Compensation Committee according to Section 53. If the appellant taking case to a lawsuit of the Industrial Tribunal is the employer, he/she shall pay down the Industrial Tribunal the money to the amount adjudicated by the Workmen's Compensation Committee before submitting such appeal. After being a chose jugée of the case, if the Industrial Tribunal gives a decree that the appellant shall be the payer of such workmen's compensation, the Industrial Tribunal shall transfer such amount of money to the Social Security Office. Then the Social Security Office shall pay the employee or his/her rightful owner(s) such amount of money as the workmen's compensation according to Clause 2 of Section 53 of the Workmen's Compensation Act B.E. 2537.

The Appeal Sub-Division is divided into 2 Sections: The Workmen's Compensation Committee Section; and The Medical Committee Section. The Appeal Sub-Division shall receive and proceed the cases being appealed concerning contribution payable by the employer, and the workmen's compensation requested by the employee or his/her rightful owner(s) coming as central and local cases. It also shall make the estimation of loss of any organs of the employee whether caused by encountering dangers due to performing work or not. In addition, it shall perform verification of the facts and evidences and summing up issues of facts and issues of law concerned for better consideration of the Workmen's Compensation Committee, Medical Committee, and Medical Sub-Committee appointed by the Medical Committee. Furthermore, it shall be responsible for secretariat works of such Committees and Sub-Committee including meeting and conference and also participate in coordination with other government agencies concerned both inside and outside the Workmen's Compensation Office.

The Practical steps of performing affairs in payment of workmen's compensation are illustrated in Figure 2-1.

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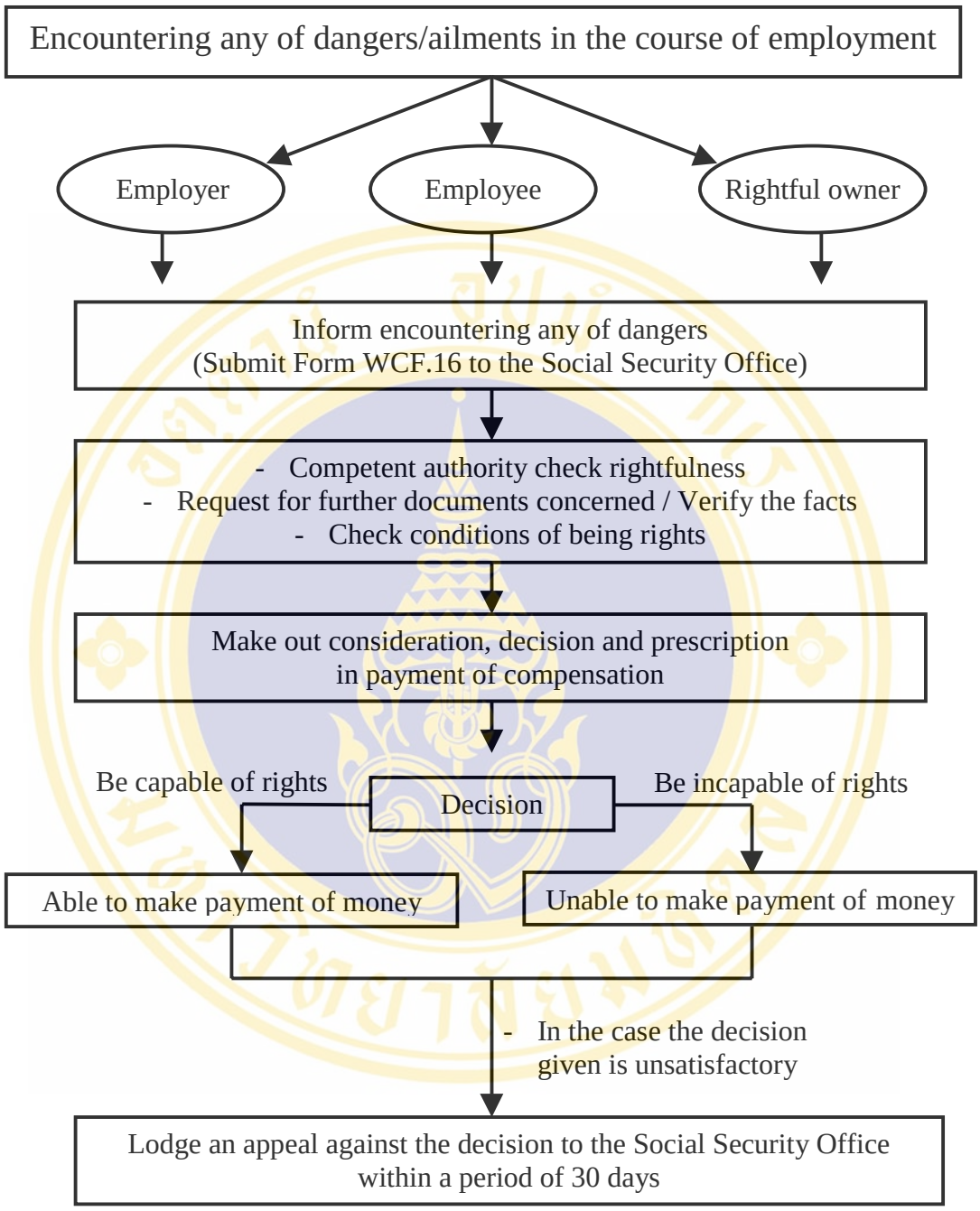

Figure 2-1 Diagram illustrating practical steps of performing affairs in payment of workmen's compensation specially used in this study starting from encountering any of dangers/ailments in the course of employment to lodging an appeal against the decision to the Social Security Office within a period of 30 days

Source: Social Security Office (2540)

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2.2.2 The US Employees Compensation System

The US employees compensation system had begun from the establishment of the US Employees Compensation Commission as a dependent department. This department had reorganized in 1946 by a legal abrogation and transferred its duties to the Federal Security Agency to which establishing the Bureau of Employees Compensation for dealing with them. After that two reorganizations were made in 1950. Firstly, the Bureau of Employees Compensation had transferred to be the subordinate of the Department of Labors. And secondly, the Permanent Under-Secretary of the Department of Labors had given powers and duties of making amendment of rules and regulations concerned as may be necessary and according to the circumstances and also of commanding competent authorities and personnel working for the Department of Labors. Then in 1972, two departments were separately established in the Bureau of Employees Compensation: the Office of Employees Compensation; and the Office of Public Officials Compensation. Finally, those two departments have been incorporated in 1974 into one department as the Office of Worker's Compensation Programs and so-called for short OWCP since then. (Pornchai Sitthisarunkul and Withoon Loesoonthorn, 2542: 40-41)

The study on the US employees compensation system conducted by Pornchai Sitthisarunkul and Withoon Loesoonthorn (2542: 39-49) can be divided into 6 parts: Fundamental principles of compensation system; Laws concerning compensation system; Administration of compensation; Operation of Independent Medical Evaluation, Case management; and System of appealing compensation. Each of them can be conclude as the following.

Fundamental principles of compensation system

The following 6 items are the fundamental principles of workers' compensation system in the United States of America.

1. No-fault compensation: Payment of the compensation shall be made with irrespective of the question whether who are the party at fault.

2. Fair compensation: Payment of the compensation shall be made in conformity with the damage or injury at work of such worker relating to his/her earning capability and the types and seriousness of such damage or injury.

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3. Collective liability: Every employer of the same type of industry shall be liable to pay the Office of Worker's Compensation Programs the contribution of the same basic rate.

4. Mandatory coverage: The operations of protection shall be enforced legally.

5. Protection from lawsuit: The action for litigation between the employer and the employee shall be (principally) impracticable.

6. Right of appeal: The employer and the employee shall have right of appeal.

Laws concerning compensation system

Laws concerning compensation system can be divided into 2 parts.

1. State laws: State laws are the laws enacted and enforced by each State. In the United Sates of America, the laws concerning compensation system enforcing in each State are fairly different in details but all the same in principles. Those principles are liberty of competition, action of lawyer, examination of independent physician(s) that is so-called the Independent Medical Evaluation, IME for short, and right of appeal.

2. Federal laws: Federal laws are the laws enacted and enforced by the central government of the United States. The federal laws concerning compensation system provided in the Code of Federal Regulations 20 (CFR 20) regarding Employee Benefit. CFR 20 had been periodically amended, and the last amendment was on April 1, 1999. The agency responsible to this affair is the OWCP to which being subordinate of the Employment Standards Administration (ESA). And the Deputy Secretary-General of ESA is the Director of OWCP.

The Director of OWCP shall have powers and duties to enforce several laws under the responsibility of the Department of Labors as follows:

1. Federal Employees' Compensation Act (FECA);
2. War Hazards Compensation Act (WHCA);
3. War Claims Act (WCA);
4. Longshoremen's and Harbor Workers' Compensation Act (LHWCA);
5. District of Columbia Workers' Compensation Act (DCWCA);
6. Defense Base Act (DBA);

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7. Outer Continental Shelf Lands Act (OCSLA);

8. Nonappropriated Fund Instrumentalities Act (NFIA); and

9. Code of Federal Regulations 4 (CFR 4) of Federal Coal Mine Health and Safety Act (FCMHSA) amended by Black Lung Benefit Act (BLBA).

Among the laws mentioned above, the Federal Employees' Compensation Act (FECA) is of the principal concern with the workers' compensation system.

Administration of compensation

The administration of the workers' compensation system of the United States of America depends largely upon the Department of Labors. The duties of the Department of Labors are to protect, support and promote the welfare of the earners of the United States of America and to improve work conditions and increase work opportunities creating public benefit and interest to the country in form of money. But all these shall conform to several federal laws to afford the workers the rights legally provided to have safety work condition and good to their health, minimum wage, overtime wage, freedom from discrimination of employment, unemployment insurance, and compensation. This includes protecting workers' remuneration and pension, giving apprenticeship, helping workers for seeking employment, and promoting unification of workers to create bargaining power. Furthermore, the Department of Labors shall have duties to help all Americans in seeking employment, and special helps shall give to certain groups of people, i.e., the ages, children, adolescent, women, minorities, disable persons, and the others.

The Secretary-General of the Department of Labors is the leader of the Department of Labors and of the person possessing important role in opining the President the development and administration of the policy, and in operating administration and enforcement of the laws concerning workers.

Committee on Workers' Compensation Appeal shall compose of 6 members, and 3 of them shall come from the appointment of the Secretary-General of the Department of Labors, and one of these shall receive the appointment of the Chair. The duties of this Committee are to consider and determine appealed cases to which undergone through the laws concerning workers' compensation dealt by the central government.

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Office of the Administration for the Occupational Health and Mining Safety is subordinate to its Secretary-General to which being responsible to occupational health and mining safety in accordance with the Occupational Health and Coal Mining Safety Act enacted by the central government in 1969. Provided that enforcement of this act is compulsorily strong to give mining workers the protection and prevention of their health. Later in 1977, the Congress of the United States passed the amendment of this act to increase the degree of its compulsion, extend the limits of protection and prevention, and also augment these operations to the mining of other kinds. This agency works coordinately with the States undertaking occupational health and mining safety program. In addition, it is responsible to the development and the augmentation of training and research held by the State's agencies. All of these are aimed to prevent and minimize accidents and occupational diseases occurring in mining works.

Office of the Labor Statistics deals with the collection and record of data concerning changes of employment, wages, and other economical data of the country.

Operation of Independent Medical Evaluation

In many States of America, Independent Medical Evaluation, or IME for short, is employed. IME is also called as Impartial Medical Evaluation, Agreed Medical Evaluation, Blinding Medical Evaluation, and Neutral Medical Evaluation. IME is usually operated together with case management to which any insurance companies, lawyers, and other persons concerned are employed for considering compensation, personal injury, disability, and other cases. All of these are operated by the IME in many steps of the injury or ailment, remedy, rehabilitation, and the re-entry into the labor force.

The purposes of operating IME are to give either the examinees or the requesters the further medical information and data required or to answer the questions being unanswerable by the existing medical evidences. In these cases, IME shall be operated by physician(s) having no medical concerns or giving no treatments to such workers in questions as the examinees. All medical information and data gained by means of IME shall be recorded in the reports. The physician, as the examiner, shall have to emphasize that his/her examinee had cancelled his/her right to have medical relations as his/her patient as in normal case. So that the physician shall be of no necessity to keep his/her patient the medical secrets and able to report them to the third

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party; and in this case the worker being examined by means of IME shall be called as the examinee rather than the patient.

The physicians operating Independent Medical Evaluation (IME) shall realize its 3 components. Independent means free from influence, persuasion, or bias; Medical means of or connected with medicine or the practice of medicine; and Evaluation/Examination means to judge or determine the worth or quality of/to look at into critically or methodically in order to find out the facts, conditions, etc. So its figure is that the physicians shall be totally of neutrality and shall have no bias to their examinees; also shall examine them medically about their antecedents, body examinations including laboratory examinations of the data and information recorded. The physicians operating IME shall realize that all of their duties are to evaluate and examine data and information recorded as antecedents for verifying facts not for giving any remedies. Each of them also shall make an IME report for every examinee indicating the worth or quality of examination and answering all requester's questions clearly. The IME report shall be further used as the documentary evidence at the Office of Worker's Compensation Programs and at the industrial tribunal.

The IME requesters may be any insurance company, employer, or the representative of the employee such as the lawyer or the third party concerned. Frequently, the insurance company's representative being responsible about the reimbursement at the OWCP shall have to examine and manage the case efficiently and effectively. Because many cases concerning the OWCP are complex in details, they are mostly requested by the lawyers, especially those of the defendants rather than of the plaintiffs. The others, i.e., any of the judges, committee, competent authorities, or agencies concerned shall be able to request for proceeding operation of IME.

Every physician capable of proceeding operation of IME shall be registered as the specialist of medical profession in operating IME at the American Board of Independent Medical Evaluation or ABIME for short. This is very useful because all registered physicians shall be qualified and specialized in operating IME, and an IME Certification shall be given to each of those physicians. The agency called ABIME has been established for the quality development in operating IME since 1994. This agency is responsible in pursuance of examination for the selection of the specialists

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of medical profession in operating IME. Each of such specialists is called the Certified Independent Medical Examiner. This affair is conformed to the requirement of the public. The ABIME pursues such examination by its committee setting qualifications and prerequisite experiences of the candidate physicians, including issuance of the practical tests and examination paper. The tests and examination shall be finished within a period of a half of the day. There are more than 1,000 physicians occupying IME Certification. More frequently, they are requested to proceed the operation of IME rather than the others without IME Certification. In many States, i.e., Nevada, has provided that only physicians occupied IME Certification shall be authorized to proceed the operation of IME.

Frequently, selection of physicians operating IME is depended on their experiences or recommendations. But sometimes any IME agent (called IME broker) is used. IME report issued shall be further proceeded under consideration of the OWCP, and as the case may be under the decision of the industrial tribunal. This means that the physicians operated IME and issued IME report shall give information to the industrial tribunal. As the IME report is normally used by the lawyers as a guideline in questioning physicians concerned, it shall be of no bias, clear cut, and reasonable. Good IME report shall answer only the questions asked by the requester. Its conclusions shall be supported by its medical examination procedures and information recorded. Every physician, as the IME examiner, shall not only understand medical issues concerned but also be able to use medical information in specifying what are not concerned to the medical issues requested by the IME requester.

The examination process for registration at the ABIME provides the qualified specialist of medical profession of many areas the opportunities to be a Certified Independent Medical Examiner. In addition, the National Association of Disability Evaluating Professional also provides such examiner the issuance of a certification of the Certified Disability Evaluator. In every case, the quality IME shall be able to come into existence only by the operation of any of physicians who is a qualified specialist of medical profession understanding substantial issues requested by the IME requester. Such physician shall pay attention to every detail of issues requested by the

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IME requester and make a report not only indicating the quality of evaluation but also readable and understandable to non-medical persons.

Case management

Case management in the United States of America is usually proceeded by occupational health workers. Their roles are as of the system and process manager for increasing coordination among agencies managing damaged or injured or ailed to be recovered and come into good quality of life as fast as possible as well as promoting workers' family, medical support, rehabilitation, and occupational reentry.

Being 24-hour coverage means that it shall not necessary to distinguish such injury, disability, or deformation of any worker's body whether occurred at his/her workplace. This is conformed to the principles of health care reform issued by the Bill Clinton's Government that all compensations payable by the OWCP shall be a part of the whole health and medical services. The advantages of this affair are the minimization of expenses due to performing some recurrent administrations, i.e., the recurrence of paying money and writing receipts, claiming several compensations from many agencies for the same case of disability, transferring expenses from a system to the others. In addition, the continuity and consistency of medical services and their quality control system provided shall be possible.

System of appealing compensation

The general principle of the system of appealing compensation in the United States of America is that all of substantial issues being concerned with laws are disputable; this is, otherwise, illicit. Going under consideration of legal process of any issue of law begins with describing 'such injury was arisen out and in the course of employment'. Justifications of performing work and the occurrence of such injury should be reasonable and adequately clear. Even some of them are easily seen or known but sometimes not.

The issues of law leading the case to go appeal are mostly of any occupational diseases or chronic injuries to which being hardly verifiable. Verification of the facts concerning causes of such occupational diseases occurred whether arising out and in the course of employment is even harder. For example, in the case that a worker died from myocardial infarction to which being conformable to the issue of in the course of employment, the question is that the cause of such heart

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attack is due to either his nature or a certain factor concerning the course of employment. Answering this question is not easy. So that the competent authority verifying the case shall determine it according to the principles of adequacy and inadequacy of information concerned. And then the decision to which compensation payable or not payable to such case shall be issued.

The issues of law concerning the occurrence of diseases in question whether arising in the course of employment usually go into appeal. But the most questions going under appeal more frequently are of the compensation payment concerning either period of employment or percentages of impairment (disablement), or both of them. Compensations for medical treatment and work rehabilitation are often the issues of appeal. Most of substantial evidences for making consideration in payment of workers' compensation, more or less, are medical evidences. They are also important in considering or determining causes, seriousness, and period of time of the impairment (disability). If the substantial evidences are sufficiently clear, the payment of compensation shall be of no questions. But if they are vague or ambiguous, then medical evidences shall be of importance. Medical evidences, like the opinion of the specialists of the other cases, are often submitted to appeal.

Comments of the physician often make any of competent authorities confuse about some of conditional words, i.e., be possible, be probable, etc. Frequently, the physician's comment is 'the injury was possible arisen out and in the course of employment'. Then the employee's representative uses this comment as the substantial evidences for claiming compensation even the weight of word 'possible' is basically heavier than that of 'probable'. This issue increases the numbers of problem as well as the difficulties of doing work and the total expenses as going on the steps of appeal. These occurrences are obviously found in newly medical cases such as chronic fatigue syndrome, carpal tunnel syndrome, multiple chemical sensitivity syndrome, chronic pain, myofascial pain, and the others that their definitions are hardly given. During the period that the case has been under the decision of the industrial tribunal, many specialists inclining to opine differently cited by both parties, the vagueness of definitions, and the difficulty of giving definitions of those conditions are tended to form groups of pros and cons of such matter.

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Many issues involving medical evidences are the questions concerning either quantity or quality of their objectivity and subjectivity as being frequent occurred in the issuance of medical certificates, and the opinions expressed by any of specialists as well as of general physicians. Normally, any of general physicians – often medicus – examine each of injured workers several times and inclined to express his/her opinion about the worker's deformity. But that opinion may be opposed by only a specialist's examination. This is frequently seen in the cases of chronic conditions, e.g., chronic pain syndrome, and myofascial pain, even though the worker has been examined continuously by such general physician for a certain period of time. After giving treatments, the physician notes his/her opinion to the OWCP enabling the worker the ability to claim for his/her compensation. Then it shall be submitted under the consideration of the specialist to which being possible of its pros or cons. Frequently, the issue of cons is that 'the cause of such disease or the nature of invasion of such disease was probably not arisen out and in the course of employment'. In addition, another problem may be further occurred as if another specialist expresses a different opinion.

Doctor (physician) shopping is also one of the causes of problem. It is normally occurred where a worker roaming to seek a physician who gives him, even if willing or unwilling, the opinion enabling him to claim compensation as wished. Even this behavior is rather rare, it pushes the consideration of worker's compensation in difficulties because of increasing not only the numbers of problem to the systems concerning medical and public health services but also the total expenses accumulated, and the numbers of managing and servicing steps concerned.

The issues concerning objectivity and subjectivity of this matter are of similarity in their affairs. Particularly, the competent authorities of ten refuse to accept the requests for claiming any of compensation of subjective symptoms, e.g., any pains without objective information supported. Because any worker suffering with subjective pain is still able to perform his/her duty, the compensation in this case is unable to be claimed. Even though sometimes saying that compensation is not payable to the pain and suffering, this issue is under consideration of being changed.

In the United States of America, the administration of appeal cases is largely depended upon the state agencies. Many attempts have been made by such agencies to

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minimize the status of being officialism, decrease expenses, and shorten the period of time for considering appealed cases. Each appealed case is often managed under the responsibility of authorized consultant or specialist. Even such consultant or specialist shall or shall not be officially authorized to adjudicate that the compensation shall be payable to the case being under consideration, he is fully responsible and authorized to examine all evidences concerned and give advice that what case shall go to the industrial tribunal. Practically, such consultants are not the state officials. The appellate process in the United States of America is rather complicated, the competent authorities responsible to appealed cases have to set up steps of the procedures concerned, levels of decision power of each agency clearly. The authorities concerning appellate cases shall have to issue laws, rules, and regulations providing procedures for the conduct every step of supervision, conditions of time clause for submission of appellate case, and situations that shall have to examine persons and that any of additional documentary evidences shall be required. In addition, this also includes the maximum period of time necessary for proceeding any appellate case to the issuance of decision, the procedures to be taken for the conduct of official decision, and authorities and powers of the authorized decision-makers, etc.

2.2.3 Workers' Compensation of the Great Britain

The findings about the workers' compensation of the Great Britain gained by Pornchai Sitthisarunkul and Withoon Loehsoonthorn (2542: 32-49) indicated that in the Great Britain the workers are able to claim for workers' compensation through the following 3 systems. Those are (1) the Industrial Injuries Disablement Benefit, (2) the Common Laws Claims, and (3) the Insurance Company. The details of each system can be concluded as the following.

The Industrial Injuries Disablement Benefit

It is the workers' compensation system being conducted by the Benefit Agency (BA) under the Department of Social Security (DSS). The workers able to claim their workers' compensation shall be suffered from any of the 'prescribed diseases'; (The diseases prescribed and the course of employment concerned are mentioned in the appendix). The steps of claiming compensation shall be of the following. First, the worker suffered from any of the prescribed diseases shall fill in the form given (Form BI 95), and his/her employer shall countersign to certify that such worker was suffered

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in the course of employment or had the accident declared as an industrial accident. Then the DSS shall take action for proceeding consideration. The DSS may request some additional information and medical evidences from the hospital and or the physician(s) to which ever given such worker the treatments. Regularly, the worker shall have right of claiming compensation where his/her disablement is over 14%. If the disablement is less than 14%, then such worker shall have right to get the reduced earnings allowance instead.

The Industrial Injuries Disablement Benefit (IIDB) is a non-taxable income to which the disabled worker having right to get it if that disablement is the injury or ailment resulted by any of prescribed diseases and in the course of employment. In all cases, self-employed has no right of getting IIDB. First, the disabled worker shall fill in the Form BI 100 Series and send it to the DSS. Next, it shall be submitted under consideration of the competent authority as the authorized decision-maker. Then its attachment, i.e., the documentary evidences, and the opinion of physician(s) of the Medical Board of the Medical Services of the Benefit Agency shall be thoroughly examined.

The authorized physician of the Medical Board to which consisted of medical professions specialized in organology shall question and examine the disabled worker himself before evaluating his/her damage or disablement.

Because giving the citizen the treatments is the public welfare, the problems about decision for the payment of compensation have never been occurred. This is unlike that of Thailand and the United States of America.

The right of getting IIDB begins where, within 15 weeks after being injured or ailed, the disablement of such worker is at least 14%. But that of pneumoconiosis, byssinosis, and mesothelioma begins where it is at least 1%, and that of deafness begins where loss of hearing is at least 20%. In addition, all causes of disablement resulted in the course of employment, from more than one of injuries or prescribed diseases, and in the same period, shall be counted as the same case for getting a 14% level.

Workmen's compensation shall be payable to the worker by either transferring to his/her banking account at every 4 weeks or paying cash through the post office at every week. The payment shall begin on the day of the 91st (a period of

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15 weeks excluding Sundays) after the day of accident or suffering from any of prescribed diseases. The assessment of disablement may be made on either final or provisional basis. Provisional assessment may be conducted for giving the worker the payment of compensation without delay. But the final assessment shall be conducted before the end of the period provided.

The amount of money payable to the worker as compensation is depended upon the extent of his/her disablement, i.e., the total loss of either sight or hearing, or loss of both hands are considered as of 100% disablement. But the loss of either one index finger or one great toe is considered as of 14% disablement.

The amount of compensation payable shall be from 20 to 100%. And the disablement shall be rounded up or down to the nearest 10%. So the worker being considered as of 14-19% disablement shall be paid at the rate of 20%. But the compensation payable to the worker being under 18 years of age and with no dependants shall be lesser.

In addition, non-employed status person with loss of capacity caused by accident or ailment during a period of apprenticeship held as the project of the Department for Education and Employment (DfEE) shall have right of getting compensation under the Analogous Industrial Injuries Scheme. The conditions of DfEE are similar to those of the IIDB excepting the compensation shall be paid by the DfEE at every 2 weeks.

The worker being understood nothing about the decisions issued, requiring more details, or thinking that the decisions issued are wrongful shall have right to request for explanations, and to dispute and to request for reconsideration. Such reconsideration shall be made by a different decision-maker. New decisions may be either similar to or different from those of the past. In case of being different, they may replace those of the past and be so-called revising decisions, or change those of the past and be so-called superseding decisions, or make a relevant change of circumstances and be so-called changing decisions. In general, if wrongful decisions are due to any fault of competent authorities, they shall be replaced with revising decisions.

The worker being unsatisfied to the revised or superseded decision, e.g., medical decision, evaluation of any loss, shall have right to appeal against that

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decision. But the appeal shall be made within a period of one month after the day of knowing such decision. The Medical Appeal Tribunal, MAT for short, appointed by the DSS shall be the committee considering such appeal. The appeals are divided into 2 categories as the following.

1. Entitlement appeal. It is the appeal against the decision to which reject for the claim. In this case, the Entitlement Tribunal consisted of one lawyer as the chair, one physician, and someone having a similar background to the appellant play as the decision-making committee. The Entitle Tribunal may give the appellant either an affirmative decision so no payment of compensation shall be made, or a reverse or recall the decision as the cause of such injury or ailment arising out and in the course of employment so the payment of compensation shall be made.

2. Assessment appeal. It is the appeal against the percentages that the disablement was assessed. In this case, the Assessment Tribunal consisted of one physician as the chair, another physician, and someone having a similar background to the appellant play as the decision-making committee. The Assessment Tribunal may give the appellant either an affirmative decision, or a decision of higher or lower percentages, or change the period of award, or as the assessment shall stay as it is for the time being but it should be assessed again later.

The status of a tribunal is a court of law but it is rather informal than an ordinary court. The consideration of any case shall be made at a table to which the members of the tribunal sitting at a side of that table and the appellant or someone to speak for or his/her representative sitting at the other side.

Finally, the worker or any party shall have right to appeal against the MAT's decision to the Social Security Commissioner where it is on the grounds that the decision was erroneous in law.

Industrial Death Benefit is a taxable benefit payable to any widow that her husband died of any accident in the course of employment or occupational disease before April 11, 1988.

The Common Laws Claims

As the case proceeding in the industrial tribunal, the injured or ailed worker shall have right of suing his/her for compensation employer as the maker of the cause of such injury or ailment. But it shall be the duty of the worker to proof that such

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injury or ailment was arisen from being ignored or neglected of the employer in providing necessary measures to prevent the worker from any occupational disease and any injury. In this case, such worker may be assisted by the Labor Union. The worker or his/her lawyer may directly consult the specialist of the medical profession about that case and the specialist shall give out himself not only the decision and confirmation but also the statement to the industrial tribunal. Then, the industrial tribunal shall issue a decision or judgement.

By means of the common laws claims, the worker may have to pay a large amount of expenses. And it is of uncertainty that the worker shall be the winner at the industrial tribunal even compensation as the Industrial Injuries Disablement Benefit is payable to such worker. Normally, the worker is often assisted financially by the Labor Union. And the employer as if having insurance, often pay the worker nothing because the payment of compensation in this case is the responsibility of the insurance company concerned.

The Insurance Company

The worker or the employer as the insured shall have benefits of redress paid by the insurance company according to the details of agreement settled by that worker or that employer and the insurance company.

In addition, the injured or ailed worker shall have right to claim for the compensation from the three systems mention above simultaneously. And noticeably, the word “Disablement” using in the Great Britain’s systems nearly means as the word “Impairment” using in the systems employed in the United States of America.

The comparison of workers’ compensations among that of Thailand, the United States of America, and the Great Britain is illustrated in Table 2-1.

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Table 2-1 Comparison of workers' compensations among that of Thailand, the United States of America, and the Great Britain in brief

No.	Issue	Similarity	Difference		
			Thailand	USA	Great Britain
1	Major principles	• Having no fault compensation • Both employer and employee shall have right to appeal for getting appropriate compensation. • Equal coverage of the law	• To give employee the rightful treatments and without delay • To give physician the reasonable payment • To give the place of medical business the sustenance • To let the Workers' Compensation Fund pay reasonable compensation • To prevent employer from the payment of contribution at going up rate	• The payment of compensation is based on the impairment arisen in the course of employment, the earning capacity, and the seriousness of injury • Every employer of the same industry shall be payable the contribution at the same basic rate • Employer and employee are impracticable to sue each other	• Medical treatment is a public welfare given to every citizen so it needs no expenses being payable after the medical treatment is rendered.
2	Compensation system and its claiming procedures	Having system that provides the worker the ability to claim compensation	Having Social Security Act and Workmen's Compensation Act being enforced throughout the country	Being under control of the laws as the following: • State Law. It is the law being enforced in each State • Federal Law. It is the law enacted and being enforced by the central government	The worker shall have right to claim compensation through the following 3 systems: • Industrial Injuries Disablement Benefit • Common Laws Claims • Insurance Company
3	Registration of the cases informed	In all of the 3 countries, after any employee encountered any injury, danger, ailment, or suffered from any occupational disease, such case shall be informed to the responsible agency	Inform the case of encountering any of dangers or ailments and request for workmen's compensation by using Form WCF.16	To report a case of accident, the employer shall use the Form C-2 and the employee shall use the Form C-3	The following forms shall be used: • Form BI 100 Series for disablement compensation • Form BI 95 for encountering any of dangers

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Table 2-1 (Continued)

No.	Issue	Similarity	Difference		
			Thailand	USA	Great Britain
4	Verification of the facts concerned	Having right to find out for additional information and substantial evidence	The competent authorities of the Workmen's Compensation Fund shall proceed the case by means of asking for documentary evidence and additional information, and questioning for additional statement.	The physician authorized to give the ailed employee the treatment shall write a medical report and indicate that what compensation should be given to such employee	The Department of Social Security (DSS) shall request more medical information from the hospital(s) or the physician(s) had ever given the employee being under consideration the treatment. The information requested is normally used as medical evidences.
5	Making out the consideration, decision, and prescription in payment of compensation	Each of workmen's compensation systems of all 3 countries have this affair	Being performed by the competent authorities in accordance with the following 3 criteria: • Ordinary criteria (In case of encountering any dangers) • Extraordinary criteria • Criteria for giving decision in case of encountering any occupational diseases (asking Medical Committee to examine the medical issues)	To give the examinee the information, to answer questions arisen in the steps of the Workmen's Compensation procedures, and to give the industrial tribunal the statements, the Independent Medical Examination (IME) is mostly used along with the Case Management	The decision-makers are able to request for opinion and recommendations from the Medical Board in the Medical Services Unit of the Benefit Agency, the Department of Social Security.
6	Making Prescription in payment of compensation	Compensation being payable to each item is fully reasonable.	The point of time the payment shall be made is unforeseen. It depends on the termination of decision of each case itself. But it shall be without delay. The evaluation of any loss shall be made where all treatments have come to an end.	If any employee is injured in the course of employment, he/she shall get compensation for that case within 14 days.	The payment of compensation shall be made on the day of 91st after encountering accident or injury but the evaluation of disablement shall be made at the final step.

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Table 2-1 (Continued)

No.	Issue	Similarity	Difference		
			Thailand	USA	Great Britain
7	Appeal	• In all of the 3 countries, both of employee and employer shall have right of appeal	• Each case shall be able to go appealing within 30 days after the issuance of compensation decision. • Most of the cases going appeal are the requests for reconsideration of loss or disablement evaluation and of being in the course of employment. The less of the cases are of contribution, and the inadequacy of compensation paid for medical expenses.	Most of appeal cases are of the following. • The payment concerning either the period of employment or the percentages of impairment, or both. • Whether the disease being under consideration had arisen out and in the course of employment, chronic diseases, and the diseases of being troublesome diagnoses. • Compensation for the expenses of medical treatment and occupational rehabilitation.	The issues being under consideration are of the following 2 major categories • No payment of compensation as the claim was rejected • Disagreement with the percentages of disablement issued.
		• Having Committee on Workers' Compensation Appeal	• Having Workmen's Compensation Committee • Having Medical Committee • Having Sub-Committee appointed by the Medical Committee	Having Committee on Workers' Compensation Appeal consisted of 6 members appointed by the Secretary-General of the Department of Labors and 1 of the 6 shall be elected to be the chair. The duties of this Committee are to consider and determine appealed cases to which undergone through the laws concerning workers' compensation dealt by the central government.	• Having Entitlement Tribunal consisted of one lawyer as the chair, one physician, and someone having a similar background to the appellant as the members. The duty is to consider the appeal against the decision to which the claim was rejected. • Having Assessment Tribunal consisted of one physician as the chair, another physician, and someone having a similar background to the appellant as the members. The duty is to consider the appeal against the percentages that the disablement was assessed.

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2.3 Concepts and theories concerning administrative system and evaluation

2.3.1 Concepts concerning administrative system

In order to conduct the administration of any organization successfully, a good system, effective strategies, and practical logic work performance should be employed. The achievement of work performance is resulted by the combination of inputs, impacts, and outputs. The indicators reflecting administrative system quality should cover efficiency and effectiveness of work performance under consideration as well as the satisfaction of the parties concerned.

McMahon et al. (1992: 21) cited in Kasem Prasartkhetkarn, 2544: 10) stated that administration means managing personnel to work together efficiently and along with using existed resources usefully in order to carry out the work under responsibility successfully.

Harold Koontz (cited in Sompong Kasemsin, 2526: 6) stated that administration means the execution of affairs to meet the objectives set forth by means of using factors, i.e., men, money, and material as the working devices.

Thonglor Dejthai (2540: 12-15) stated that administration means the process of working with other personnel and through using other personnel to which the objectives of the organization set forth can be accomplished under the environment to which being changed, and also the limited resources existed are used effectively and efficiently. Administration is a system consisted of the following 3 items.

1. Input. It is all of the items provided in advance for using in execution of the affairs under responsibility. It comprises men, money, material, and managerial procedures.

2. Process. It is all of the steps concerning managerial procedures provided for running the affairs under responsibility to be accomplished successfully. It consists of planning, administrative organization, personnel administration, direction, coordination, reporting, and budgeting.

3. Output. It is all of the products or services resulted by work performance. It includes all problems and restraints or obstacles occurred in the execution of such affairs to which can be used as the feedback for improving managerial procedures of administrative resource as well as for improving the steps of managerial procedures of such affairs in the future.

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In certain cases, environment may effect administrative system partly or wholly as illustrated in Figure 2-2.

The Components of Administrative System

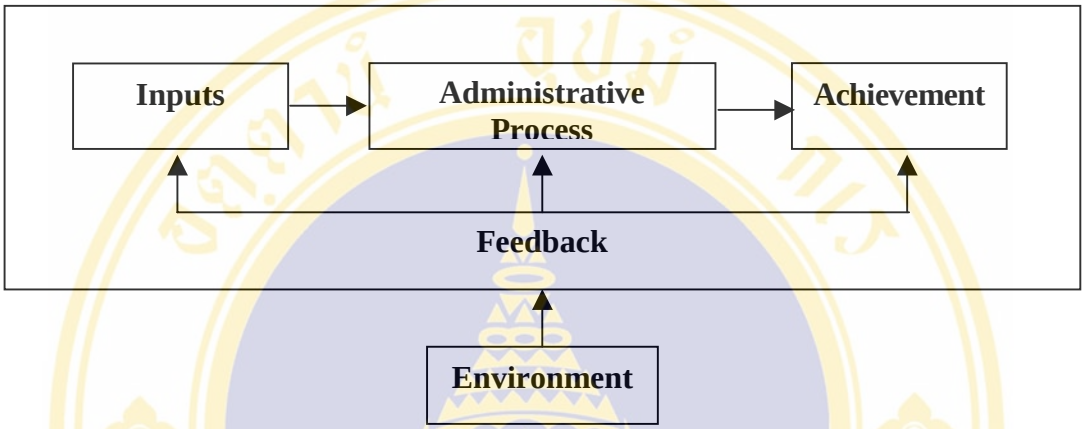

Figure 2-2 Diagram showing the components of administrative system
Source: Thonglor Dejthai (2540: 13)

2.3.2 Concepts and theories concerning evaluation of administrative system

Sirichai Kanchanawasi (2545, 131-132) stated in the theory of work performance evaluation that the major purpose of conducting administration in any organization is to give rise the achievement as set forth by such organization. To give rise such achievement successfully, the purposes and standards of achievement including planning, performing, and monitoring methods must be set forth clearly. To perform everything under such purposes successfully at a required level, appropriate strategies and activities must be employed. To reach the objectives directly, logic model of performance achievement is necessarily made by means of placing consideration on each of important factors effecting successes and activities needed to be employed for building relevant networks, and monitoring all outcomes in order to make every performance be improved, evaluated and concluded. The achievement or the success of work performance comes from any of “things” concerned. Such things can be arranged from concrete to abstract in the following order: Outputs are of the

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direct outcome resulted by the performance itself; Impacts are of the product derivative; and outcomes are of the result arisen from the impact given.

The major purpose of conducting evaluation of work performance systemically is to determine the value of such performance in order to improve the value itself to be better intentionally. The indicators of such systemic evaluation that can reflex the quality or the achievement level of work performance, and cover the effectiveness, efficiency, and satisfaction of the targeted group and of the work performers should consist of the study of visions/purposes of the organization, objectives/targets of work performance. In addition, they should include the analysis of the structure of relationship among inputs (resources) and processes employed and the results, the monition in conformity with such indicators to collect data for comparing with work performance standards. Furthermore, the evaluation of work performance should be conducted in comparing with the expected results to determine work performance achievement. Then the findings of such evaluation should be used as a guide to develop the betterment of the same work performance in the future.

As having several models of evaluation of work performance of organization, the most appropriate one should be selected for use in conformable to the objectives of the case being evaluated.

2.4 Evaluation on the process of administrative system in payment of compensation in appealed cases

The evaluation on the process of administrative system in payment of compensation to the appealed cases conducted in this study was divided into 3 sections: justification of evaluation; tendency of evaluation; and model of evaluation.

2.4.1 Justification of evaluation

Several reasons in conducting evaluation on the process of administrative system in payment of compensation to the appealed cases are described below.

First reason: Practically, it is hard to adjudicate that any of dangers/ailments/ occupational diseases to which made the employee under consideration be suffered was whether the result of his/her work. So that decision of such case is still a question of fact or the point of dispute between the employee and his/her employer. And as the

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effect of certain act concerning labor, especially the Workmen's Compensation Act provided as a special law making the section of indemnity and compensation of the Civil and Commercial Code being of invalidity. It is the employer's liability, of course without doing any wrongful act. It is only the joint liability legally called from employers as their good responsibility. In accordance with such act, the compensation shall be payable to any of their employees whether any of dangers/ailments/occupational diseases to which made the employee under consideration be suffered was or was not the result of his/her employer's wrongful act. But it shall be the nature of his/her work. (Manoon Poonyakriyakorn, 2532:50)

Second reason: Even it is not easy to consider what the case encountering any of dangers/ailments/occupational diseases whether it has arisen out and in the course of employment. But it is of the most importance that it is the relevant condition to which enabling employee to have right of getting compensation. If it is considered that such danger or ailment was arisen out and in the course of employment, then the employee shall have right of getting compensation, otherwise no payment in compensation shall be made. So the consideration whether such danger or ailment was arisen out and in the course of employment is of the most important matter. And that is the duty of the competent authorities to investigate, and collect all evidences concerning the encounter of danger or ailment of the employer. Then all the facts shall be testified carefully to proof that whether such danger or ailment was arisen out and in the course of employment or not (Labor Protection Division, Department of Labor, 2519:1)

Third reason: There is at least one problem in every step of the administrative system in payment of compensation. The findings of Somkiat Chayasiwongse (2544: 56) revealed the problems existed in the following steps: registration of the cases informed; verification of the facts concerned; making out the consideration, decision, and prescription in payment of compensation; affairs concerning appeal cases; and the other affairs concerned. Such problem can be concluded as the following.

1. Problems existed in the registration of the cases informed:

1.1 None of the required documents had been found because the case was tardily informed. Particularly, some of required documents were destroyed. Some witness or person giving evidence could not be fetched.

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1.2 The employment was made without making registration at the Workmen's Compensation Fund.

1.3 The authorized person signed his/her signature doubtfully to that given at the Workmen's Compensation Fund.

1.4 Some case had been proceeded tardily because of having many branches of the employer.

1.5 Any wage declared in some document was not conformed to the one that previously informed. Otherwise any code of business or encountering danger declared was not conformed to the one that previously set forth and additional investigation had to be made.

1.6 Redundancy of informing the same case. This was existed where the employee informed the case at any of the Bangkok Regional Social Security Offices near his/her workplace, and the employer informed such case at another Bangkok Regional Social Security Office near his/her domicile. This had led to a redundant payment of compensation.

2. Problems existed in the verification of the facts concerned: Most of such problems were arisen by no cooperation given by either employer or employee or both in the verification of the facts concerned. This led the competent authorities to the tardiness in verifying facts. In addition, some problems caused by the following issues:

2.1 Some of competent authorities had used his/her own different procedures in verifying facts;

2.2 The competent authorities had had different experience of doing work;

2.3 The encounter of danger of some case was not clear as it had arisen out beyond the working hours or outside the work place.

3. Problems existed in making out the consideration, decision, and prescription in payment of compensation:

3.1 The substantial evidences used by the competent authorities in making out the consideration of any case were of medical evidence. Because such competent authorities were not the persons of medical profession, they had to consult the Medical Committee every case. This was of inconvenience for proceeding case and giving the employee the services.

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3.2 The physician giving the employees the treatments should know well about the relevant affairs of the Workmen's Compensation Fund so that he/she can give opinion concerned rightfully and appropriately.

3.3 Lack of medical evidence required for making support of decision was occurred because nothing was corresponded from the ailed employee and the clinic or hospital being requested.

3.4 Scarcity of evidence for supporting decision had been existed.

3.5 The frame for conducting diagnosis of each disease including the evaluation of the loss of organs had been not clear-cut. The decision had still been referred to special tests rather than emphasized on the examining the ailed employee. If the physician was taken no consideration about any of occupational diseases then he/she had diagnosed it as the other diseases.

3.6 Because the competent authority taking primary consideration was not a person of medical profession, consulting either the Medical Committee or Medical Sub-Committee as the case may be about the case before making prescription of payment of compensation leading to the following problems:

(1) Tardiness in paying compensation;

(2) Having dissatisfaction of either employer or employee as any additional evidence being requested or vouched personally.

(3) Being scarce of documents sometimes leading to no opinion given and no prescription of payment of the compensation issued.

(4) Being dissatisfied of physicians by rechecking his/her treatments given.

3.7 No training on the use of Handbook for Evaluation of Physical and Mental Disablement was held leading physicians to give different decision.

4. Problems existed in affairs concerning appeal cases: The causes of problems existed in affairs concerning appeal cases could be categorized as the following

4.1 The dissatisfaction of either employee or employer with the issuance indicating that the encounter of such danger was not arisen in the course of employment.

4.2 The dissatisfaction of employee with the evaluation of his/her disablement.

4.3 The total of medical expenses exceeded 35,000 baht so the employee had appealed it to meet the criteria of 85,000 baht.

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4.4 The employee appeal for changing decision issued.

4.5 The employer appeal for changing rate of contribution or of a certain matter as needed.

5. Problems existed in the other affairs concerned: The other problems concerned could be categorized as the following.

5.1 The problems arisen from personnel administration within the organization, and groups of interest concerning decision of compensation payable to the employee ailed in the course of employment.

5.2 The overlapping of benefits given by the Social Security Fund and the Workmen's Compensation Fund leading some employee to seek the agency to which giving him/her the more benefit by informing such agency a false case.

5.3 The dissatisfaction of any contracted hospital with the amount of payment described in decision of medical expenses.

2.4.2 Tendency of evaluation

The evaluation on the process of administrative system in payment of compensation to the appealed cases was conducted by measuring opinion of the samples.

Since the opinion has influenced on the work performance and the cohabitation of persons of all levels starting from the family to the society and the nation. All problems existing everyday or at the work place are normally arisen out from either a different opinion or an opposing opinion of the members of each level. The personal opinions are always not only different but also subject to change. Surveying opinion of person is always of importance because it is useful for being cohabitation peacefully and performing work efficiently. Many persons had opined about the survey of opinion as the following.

Feldman (cited in Sattaya Krasaechol, 2538: 9) stated that the survey of opinion is the study on the appreciation of any person or group of persons towards a certain thing or things by showing out belief and appreciation by means of speaking and writing. Surveying opinion is important to policy-making and the change of policy including the change of working system and the work apprenticeship as it helps all performances have been proceeded orderly and with gratification of the work performers and their colleagues.

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Measuring opinion is generally consisted of 3 components: the person being measured; any of stimuli; and the response. The opinion is categorized as either a high, low, intermediate, more, or less level. Questionnaire and interview-form are used as the instruments for measuring opinion. The respondents are asked to reply each question of either the questionnaire or interview-form being used. (Chalermchart Sitanonda, 2537: 33)

Best (cited in Sattaya Krasaechol, 2538: 9) stated that most of measurements on opinion have been conducted by means of questioning, inquiring, recording, and then filing into a form of database. Best recommended that "…The easiest way to indicate levels of opinion is to show the replied rate with the percentages of each question to which indicating the feature and applicability of opinion. The percentages of opinion as the findings measured have enlightened the administrator that whether the policy under consideration should be proceeded or adjourned…"

Vissanu Chimtrakul (2543: 10) stated that the measurements of opinion are mostly conducted by means of asking respondents to answer the questionnaire and interviewing-form. The questionnaires are apt to be constructed according to the one of Likert to which being so called "Likert's five-point rating scale" as it divided into 5 levels. For instance: most agreed; agreed; not sure, disagreed; and most disagreed. Scoring each answer is largely depended upon the characteristic of the question being under consideration itself as if it is either positive of negative one.

It could be concluded that the measurements of opinion are the studies on the appreciation of any person or group of persons towards a certain thing or things by asking each of them showing out his/her belief or appreciation through either speaking, writing, signing, or symbolizing. Their findings are useful to policy-making and the change of policy concerning administrative procedures, and the orientation of any policy, service, coordination, etc., including the resolutions in such a way conformable to the requirements of the persons concerned. So that the affairs had been done efficiently and their results could satisfy all related persons simultaneously. In this study, the questionnaire constructed in accordance with Likert's five-point rating scale was used.

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2.4.3 Model of evaluation

In conducting evaluation on the process of administrative system in payment of compensation to the appealed cases in this study, the model of evaluation constructed by Thonglor Dejthai (2540: 12-15) was applied. But none of matter concerning environmental condition was evaluated due to its evaluation difficulty as having to inquire too many groups of persons concerned, otherwise the bias or inaccurate findings might be resulted. So that in this study, only the most important components of the system, i.e., input, process, and output of the administrative system in payment of compensation to the appealed cases were evaluated as illustrated in Figure 2-3.

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The administration in payment of compensation to the appealed cases

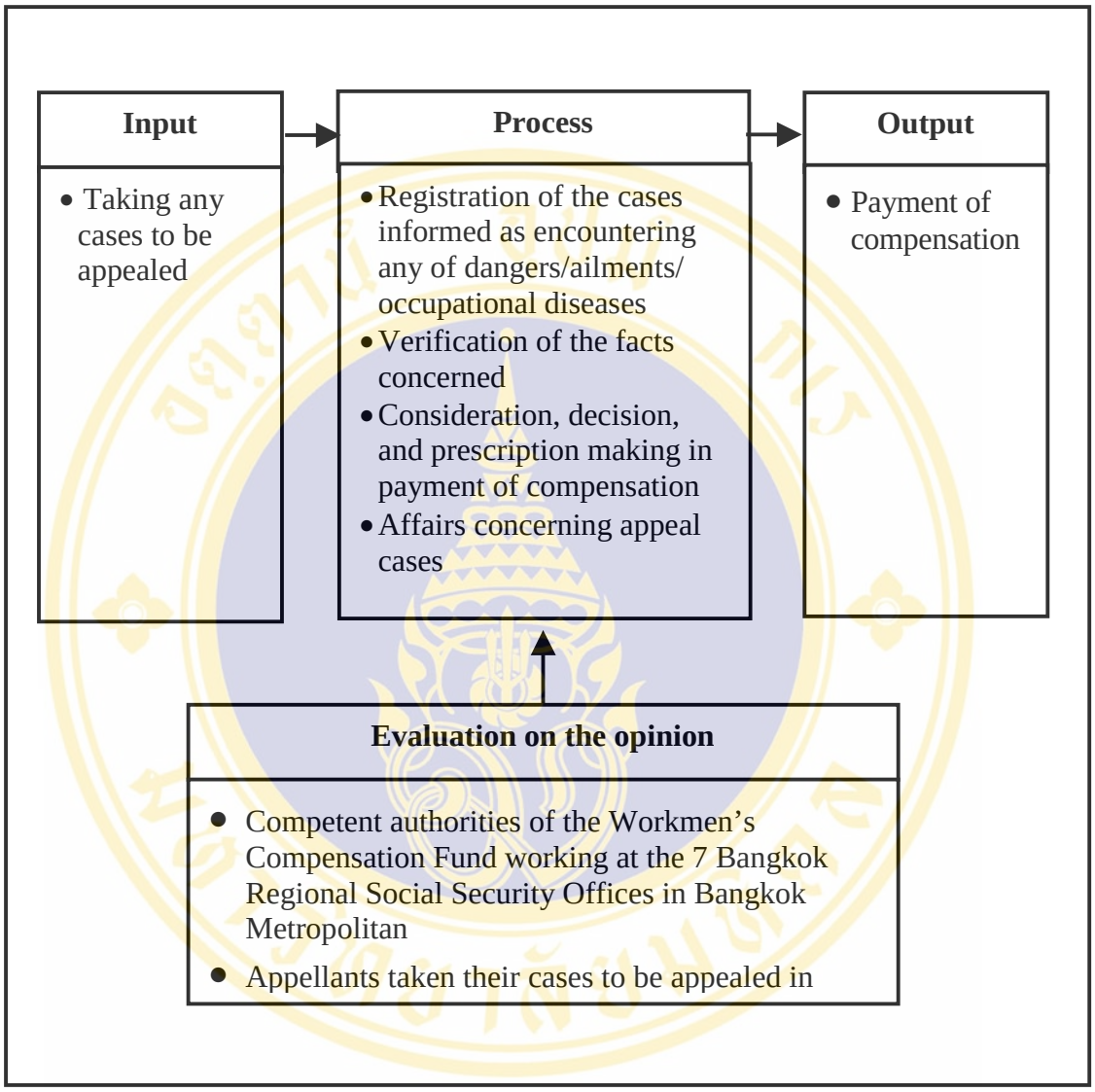

Figure 2-3 Illustration of the administration in payment of compensation to the appealed cases

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2.5 Research findings concerned

Pornchai Sitthisarunkul and Withoon Loesoonthorn (2542: 54) had studied on "The review of working model employed by the Medical Committee of the Workmen's Compensation Fund of Thailand and the other countries". It was conducted by means of a comparison of workmen's compensation systems of the United States of America and that of the Great Britain, and that of Thailand. The comparison was emphasized only on the working model employed by the Medical Committee and then the synthetic recommendations were made. The findings of the study could be concluded in brief as the following.

1. The procedures of workmen's compensation system employed in Thailand had been similar to that of the United States of America rather than that of the Great Britain.

2. The operation of workmen's compensation system employed in Thailand had been the system to which being blended with the social security system of the Government and not concerning the private insurance companies as being existed in the United States of America.

3. The Medical Committee in Thailand consisted of not more than 15 members. They give the Workmen's Compensation Fund the consideration on the medical issues. But in the Great Britain, decision-makers are able to request for opinion and recommendations from the Medical Board in the Medical Services Unit of the Benefit Agency, the Department of Social Security. Oppositely, there is no Medical Committee in the United States of America. And the operation procedures employed by each of the States had been different to some extent in their details. The most of them tended to authorize any of specialized physicians that had never given such ailed employee the treatments to perform IME (the Independent Medical Evaluation) as a formal second opinion. Then the opinion shall be put under consideration.

4. The operation procedures employed in the United States of America had provided the lawyers the opportunity to participate largely in claiming compensation for any ailed employees.

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5. The similarity of the workmen's compensation systems being employed by the 3 countries was that their fundamental principles had been based on no fault compensations, and having right to appeal.

The recommendations derived from the findings of this study being submitted to the Medical Committee of the Workmen's Compensation Fund of Thailand could be concluded as the following.

1. The consideration over medical issues should be conducted impartially, and without any conflict of interest.

2. All of data and relevant knowledge concerned should be updated periodically.

3. All of medical affairs for giving recommendation to the reimbursement of medical expenses in the case of post-exposure prophylaxis should be operated both reactively and proactively.

4. A Regional Medical Committee should be put up and appointed to be responsible to each of regional area of Thailand.

5. The Independent Medical Evaluation (IME) being used in the United States of America also should be considered to be adapted for use in Thailand. In this case, the physicians specialized in occupational medicine should give formal second opinion after examining and evaluating any examinee without giving either treatments or recommendations. Such formal second opinion about the issues under consideration, e.g., diagnosis of encountering any of diseases whether it was arisen out and in the course of employment, the employee's disablement, etc. should be in the form of written documents.

6. The Workmen's Compensation Fund should have more participation with the other agencies in conducting development of diagnostic and remedial mechanisms practiced by the physicians.

Orrapin Nutasara (n.d.: Abstract) had studied on "The workmen's compensation payable to the employee suffered from any of occupational diseases arisen in the course of employment: the principles of decision for issuance of prescription in payment of compensation to the employee". The findings indicated that the procedures for conducting decision in those days had been of several problems and many faults. Those problems were the execution of laws concerning Workmen's Compensation Act, criteria being used for conducting consideration and decision of

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which case caused by any of occupational diseases, the personnel concerned, i.e., any of competent authorities, physicians, employees, employers, etc. These included problems arisen out by groups of interest concerning decision of compensation payable to the employee ailed in the course of employment. Then tardy decision was the result. In addition, the overlapping of benefits given by the Social Security Fund and the Workmen's Compensation Fund leading any employee to seek the agency to which giving him/her the more benefit by informing such agency a false case.

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CHAPTER 3
RESEARCH METHODOLOGY

This research was the study on the opinion of the competent authorities concerned and of the appellants towards the process of administrative system in payment of compensation to appealed cases. The research methodology being used was descriptive. It was divided into 5 sections as the following.

1. Population
2. Instrument used in collecting data
3. Collection of data
4. Analysis of data
5. Statistical procedures used in analyzing data

3.1 Population

The population used in this study was divided into 2 groups, i.e., the competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Regional Social Security Offices, and the appellants who had taken their cases of encountering any of dangers/ailments/occupational diseases to be appealed. And those appealed cases were done for rehearing of their compensation in accordance with the conditions provided in the Workmen's Compensation Act B.E. 2537.

In this study, the writer selected the competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Regional Social Security Offices all in Bangkok, from the Bangkok Regional Social Security Office, Area 1 to the Bangkok Regional Social Security Office, Area 7, as the target population. During the period of time the data had been collected, from December 1, 2546 B.E. to January 20, 2547 B.E., there were 63 competent authorities; but only 59 or 93.6% of them could be found and used. And there were 51 appellants who had taken their cases to be appealed in Bangkok during the period of time from January 1, 2543 B.E. to December 31, 2545 B.E. and all their cases were given the decision of sustainment;

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but only 47 or 92.2% could be found and used. So the final target population used in this study totaled 106 or 92.9% could be found and used.

3.2 Instrument used in collecting data

3.2.1 Instrument used in the study

The instrument used in this study was questionnaire. It was used for drawing opinion of the target population, i.e., the competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Regional Social Security Offices in Bangkok, and the appellants, towards the process of administrative system in payment of compensation to the appealed cases.

3.2.2 Characteristics of the questionnaire

The questionnaire used in this study for conducting evaluation on the process of administrative system in payment of compensation to the appealed cases was separated into 2 sets as the following.

1. Set 1: It was the questionnaire used for asking competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Regional Social Security Offices who had been the target population. It was divided into 6 parts.

(1) Part 1: General information of the correspondents consisting of sex, age, education level, duration of work, and experience of work. The questions are of checklist.

(2) Part 2: Data concerning the process of administrative system in payment of compensation consisting questions of administrative structure, objectives of administrative system, rate of authority force, coordination, and budget. The questions are of five-point rating scale and open-ended form.

(3) Part 3: Data concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases. The questions are of five-point rating scale and open-ended form.

(4) Part 4: Data concerning verification of the facts concerned. The questions are of five-point rating scale and open-ended form.

(5) Part 5: Data concerning consideration, decision, and prescription making in payment of compensation. The questions are of five-point rating scale and open-ended form.

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(6) Part 6: Data concerning affairs of the appealed cases. The questions are of five-point rating scale and open-ended form.

2. Set 2: It was the questionnaire used for asking appellants who had been the target population. It was divided into 5 parts to which its texts were as same as that of Set 1 but its Part 2 was cut off as being no concern with the appellants.

3.2.3 Scoring criteria

Answering each item of the 5-point rating scale questionnaire was done by means of scoring in accordance with the following criteria.

Opinion level	Score
Most	5
More	4
Moderate	3
Less	2
Least	1

3.2.4 Construction of Instrument

The instrument was constructed through the following steps.

1. The relevant information from documents, texts, articles, and research works concerning process of administrative system in payment of compensation to the appealed cases had been studied.

2. The construction of questionnaire from the texts had been studied and then the questionnaire was drafted in conformity with the conceptual framework.

3. The drafted questionnaire was submitted to the Advisor and Co-advisor for checking its validity.

4. Then each pre-test of 20 copies of questionnaire had been made on the competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Regional Social Security Offices, and on the appellants. Of course, they were not the target population used in this study. The pre-tests were conducted by means of using alpha-coefficient formula of Cronbach so that its reliability was revealed. (Puangratana Taweeratana, 2540: 125-126) The reliability of the questionnaire for asking competent authorities was 0.90 and that for asking appellants was 0.95.

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3.3 Collection of data

The writer had collected data through the following procedures.

1. A letter of recommendation was issued officially by the Department of Occupational Health and Safety, Faculty of Public Health, Mahidol University upon the writer's request for good coordination and cooperation in answering questionnaire.

2. Collection of data from the target population working at the agencies concerned had been conducted during a period of time from the 1st of December B.E. 2546 to the 25th of February B.E. 2547. Before performing collection of data from the competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices, the writer had explained away its objectives to the Head of the Compensation Sub-Division and given the individual of all competent authorities an interrogation session. Then the writer gave each of them the questionnaire, let them put it under consideration, and appointed a day on which the questionnaire would be returned individually. In the case to which the questionnaire could not be returned on such day since any additional questions were needed, the writer would give them individually further explanation and appoint another day on which the questionnaire should be returned. In performing collection of data from each of the appellants who was the employer or his/her representative, the writer phoned him/her first to introduce herself, inform about objectives of research work, and ask for cooperation in responding questionnaire. Then she appointed a day and time to meet him/her to explain about the objectives of research in details. In some agencies to which the appellants had been working, the writer asked their employer to give them permission of attending colloquial meeting held by the writer to explain all of them the objectives of research work in details at the same time. In performing collection of data from each of the appellants who was the employee taking the case to be appealed himself/herself, the writer phoned his/her employer or the head of personnel section and asked for permission to meet such appellant(s). And the appointment on a day and time of meeting was made simultaneously. In this case, some agencies allowed the writer to give the appellants the explanation about the objectives of research work directly but some before the head of the personnel section. And some explanations had to be given during either a luncheon time, a coffee break, or after a stop of work. And at the same time the appointment on a day of returning

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questionnaire was made. And in performing collection of data from each of the appellants who at that time was not working at his/her ex-employer's agency, the writer went to his/her ex-personnel office during a luncheon time to ask the head of personnel for such appellant's telephone number(s). In all cases the writer put special emphasis on informing any employer or any employer's agency of such appellants to be clearly understood that the questionnaire had been used for asking the appellants who had taken their cases to be appealed without concerning business affairs of the agency. And the writer put special emphasis on informing the appellants to be clearly understood that the data gained from the questionnaire were used only in doing research work, and, of course, they would be marked "confidential". No parts of each questionnaire were publicized, except a whole of opinion and recommendations.

3.4 Analysis of data

In this research, the SPSS (Statistical Package of the Social Sciences) had been employed for analyzing data as the following.

1. Percentage was used in conducting analysis of data of Part 1, the general information of the correspondents.

2. Mean ($\overline{X}$) and standard deviation (S.D.) were used in conducting analysis of data of Part 2 – 6, the information concerning administrative system in payment of compensation in appealed cases. And the mean value of each item of the 5-point rating scale questionnaire was interpreted by using the following criteria for the opinion evaluation.

Mean value	1.00 – 1.49	was of	being least agreed.
Mean value	1.50 – 2.49	was of	being less agreed.
Mean value	2.50 – 3.49	was of	being moderate agreed.
Mean value	3.50 – 4.49	was of	being more agreed.
Mean value	4.50 – 5.00	was of	being most agreed.

(Source: Prakong Kanasuta, 2542: 73)

3. In case of comparisons between two means, the t-test was used. And in case of comparisons among three or more means, the F-test was used. If any statistically significant difference had been found, then Scheffé's test was used.

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3.5 Statistical procedures used in analyzing data

1. In analyzing data of the general information of the correspondents, percentage was used.

2. In analyzing data of the correspondents' opinion towards the process of administrative system in payment of compensation to the appealed cases, basic statistical procedures, i.e., mean (X), and standard deviation (S.D.) were used.

3. In analyzing by comparison between two means those were the data of the correspondents' opinion towards the process of administrative system in payment of compensation to the appealed cases, the t-test was used. Such process consisting of registration of the cases informed as encountering any of dangers/ailments/occupational diseases, verification of the facts concerned, consideration, decision, and prescription making in payment of compensation, and affairs of the appealed cases. But in analyzing them by comparison among three or more means, the One-way Analysis of Variance (One-way ANOVA) was used to calculate F value. And if any statistically significant difference had been found, then Scheffé's Post Hoc Comparison was used.

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CHAPTER 4
RESULTS

The results as the findings of the research on a study on the opinions of the competent authorities concerned and of the appellants towards the process of administrative system in payment of compensation in appealed cases were divided into 7 parts as the following.

1. General information of the correspondents
2. Evaluation of affairs concerning process of administrative system in payment of compensation
3. Evaluation of affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases
4. Evaluation of affairs concerning verification of the facts
5. Evaluation of affairs concerning consideration, decision, and prescription making in payment of compensation
6. Evaluation of affairs concerning appealed cases
7. Testing hypotheses

4.1 General information of the correspondents

4.1.1 The competent authorities of the Workmen's Compensation Office

The general information of the correspondents being the competent authorities of the Workmen's Compensation Office was illustrated in Table 4-1

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Table 4-1 General information of the correspondents being the competent authorities of the Workmen's Compensation Office working at any of the 7 Bangkok Regional Social Security Offices classified by number and percentage

General information of the correspondents	N = 59	
	Number	Percentage
Sex		
Male	6	10.2
Female	53	89.8
Total	59	100.0
Age		
21 – 30 years	23	39.0
31 – 40 years	23	39.0
41 – 50 years	13	22.0
Total	59	100.0
Education level		
Lower than Bachelor Degree	5	8.5
Bachelor Degree	53	89.8
Higher than Bachelor Degree	1	1.7
Total	59	100.0
Marital status		
Single	33	55.9
Divorced	1	1.7
Married	25	42.4
Total	59	100.0
Duration of working for the Workmen's Compensation Office		
1 – 5 years	36	61.0
6 – 10 years	19	32.2
11 – 15 years	2	3.4
16 – 20 years	2	3.4
Total	59	100.0
Affairs had ever responded (One or more items may be marked)		
Affairs concerning registration of the cases informed	26	44.1
Affairs concerning verification of the facts	42	71.2
Affairs concerning consideration, decision, and prescription making in payment of compensation	51	86.4
Affairs concerning appealed cases	31	52.5

The data illustrated in Table 4-1 indicated that most of the competent authorities of the Workmen's Compensation Office to which responded to the questionnaire were as the following. They were female numbered 53 or calculated as 89.8%, aged 21 – 30 and 31 – 40 years numbered 23 equally or calculated as 39.0% each, got bachelor degree numbered 53 or calculated as 89.8%, were single numbered

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33 or calculated as 55.9%. They had a 1-5 year duration of working for the Workmen's Compensation Office numbered 36 or calculated as 61.0%. In addition, most of them had ever responded to the affairs as the following. Consideration, decision, and prescription in payment of compensation numbered 51 or calculated as 86.4%, verification of the facts numbered 42 or calculated as 71.2%, appealed cases numbered 31 or calculated as 52.5%, and registration of the cases informed numbered 26 or calculated as 44.1%.

4.1.2 The appellants:

The general information of the correspondents being the appellants was illustrated in Table 4-2.

Table 4-2 General information of the correspondents to which being the appellants classified by number and percentage

General information of the correspondents	N = 47	
	Number	Percentage
Category/matter of request		
Encountering danger(s)	31	66.0
Encountering ailment(s)	9	19.1
Encountering occupational disease(s)	7	14.9
Total	47	100.0
Case of appeal		
Against the decision(s) that such case was not caused by means of doing work in the course of employment	29	61.7
Against the decision(s) that the sum of compensation given was not of appropriate amount.	18	38.3
Total	47	100.0
Duration the appellants had worked in the course of employment		
1 – 5 years	26	55.3
6 – 10 years	14	29.8
11 – 15 years	4	8.5
16 years or over	3	6.4
Total	47	100.0

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The data illustrated in Table 4-2 indicated that most of the appellants to which responded to the questionnaire were as the following. Most of the cases requested for compensation were of encountering any danger(s) numbered 31 calculated as 66.0%. Most of the appealed cases were made against the decision(s) that such case was not caused by means of doing work in the course of employment numbered 29 calculated as 61.7%. And most of the appellants had 1-5 year duration of work in the course of employment numbered 26 or calculated as 55.3%.

4.2 Evaluation of affairs concerning process of administrative system in payment of compensation

The results of evaluation of affairs concerning process of administrative system in payment of compensation as being responded to the questionnaire by the competent authorities of the Workmen's Compensation Office only were illustrated in Table 4-3.

Table 4-3 Mean and standard deviation of affairs concerning process of administrative system in payment of compensation as responded to the questionnaire by the competent authorities.

Process of administrative system in payment of compensation	Evaluation		
	$\bar{X}$	S.D.	Level
1. The process of administrative system in payment of compensation consists of clear-cut and practicable policies.	3.29	.91	Moderate
2. The process of administrative system in payment of compensation consists of effectively applicable objectives.	3.56	.91	More
3. The process of administrative system in payment of compensation consists of clear-cut structures.	3.29	1.10	Moderate
4. The process of administrative system in payment of compensation consists of well-educated, experienced, and responsible administrators.	3.68	.75	More
5. The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work.	2.97	1.00	Moderate
6. The process of administrative system in payment of compensation being used is a solely standardized system to which being employed throughout the country.	3.08	1.19	Moderate

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Table 4-3 (Continued)

Process of administrative system in payment of compensation	Evaluation		
	$\overline{X}$	S.D.	Level
7. The process of administrative system in payment of compensation has a lump of sufficient budget needed for carrying out its affairs.	3.15	1.05	Moderate
8. The process of administrative system in payment of compensation has efficiently internal and external coordination.	2.90	.98	Moderate
9. The performance of the process of administrative system in payment of compensation has been followed-up and evaluated in order to improve and solve problems arisen in each step systematically.	2.92	.95	Moderate
10. The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness.	2.97	.93	Moderate
Total	3.18	.66	Moderate

The data illustrated in Table 4-3 indicated that the opinion of the competent authorities towards the process of administrative system in payment of compensation were as the following. Two items had their each mean of the more level. Firstly, item 4, the process of administrative system in payment of compensation consists of well-educated, experienced, and responsible administrators, ($\overline{X}$ = 3.68); and secondly, item 2, the process of administrative system in payment of compensation consists of effectively applicable objectives, ($\overline{X}$ = 3.56). The other 8 items had their each mean of the moderate level (ranging from $\overline{X}$ = 2.90 – 3.29). And their total opinion towards the affairs concerning process of administrative system in payment of compensation was of the moderate level ($\overline{X}$ = 3.18).

The recommendations given by the competent authorities towards the affairs concerning process of administrative system in payment of compensation were divided into 2 parts as the following.

Recommendations in each item

Item 1: The process of administrative system in payment of compensation consists of clear-cut and practicable policies.

(1) Any policy concerning expenses of medical treatments payable to contracted hospitals should be clear-cut and enough.

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(2) Any method being employed for the system should be practical, steady, and easy for decision making.

(3) The criteria concerning prescription in payment of compensation should be clear-cut and standardized.

(4) The system should be adjusted and improved conformably to the situations being changed.

(5) Meetings should be held occasionally for gathering recommendations from the competent authorities as the real workers and putting them to good use for the development of system.

(6) Measures against extreme and unnecessary expenses of medical treatments should be set up.

Item 2: The process of administrative system in payment of compensation consists of effectively applicable objectives.

(1) The system should be more effective.

(2) Every Bangkok Regional Social Security Office should have personnel of medical profession playing as a consultant enabling effectiveness of its affairs to be possible.

Item 3: The process of administrative system in payment of compensation consists of clear-cut structures.

(1) To approve the prescription making in payment of compensation in a shorter period of time, the PC4 competent authorities should be legally authorized as the approver.

(2) Every resolution should be conformable to the need of the real workers.

Item 4: The process of administrative system in payment of compensation consists of well-educated, experienced, and responsible administrators.

(1) Each of administrators should be equal in responsibility.

(2) The administrators should be of work-loving, well-educated, and highly experienced personnel.

Item 5: The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work.

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(1) The number of personnel employed should be increased to meet the need of work.

(2) Computerized recording system should be employed because manual recording system being used had made every search into difficulties so that too many personnel had to be used, and more or less, personnel scarcity was a result.

(3) Personnel's efficiency should be increased to the optimum by means of in-service training.

(4) Recruiting personnel should be made to achieve one having qualifications most suitable to the affairs to which going under responsibility.

Item 6: The process of administrative system in payment of compensation being used is a solely standardized process to which being employed throughout the country.

(1) It should be supervised that the same kind of affairs could be conducted by the same procedures.

(2) The procedures being employed for each affair should be standardized so that using personal discretion could be minimized.

(3) The process, as a whole unit, should be computerized.

Item 7: The process of administrative system in payment of compensation has a lump of sufficient budget needed for carrying out its affairs.

(1) The amount of budget specialized allocated for personnel development should be increased. All personnel should be trained so that they had understood all steps of procedures employed for issuance of prescription in payment of compensation, and quality of services should be emphasized.

(2) The amount of budget should be increased to procure a computerized system for use in the affairs concerning prescription making in payment of compensation to minimize work redundancy as well as to maximize the work continuity.

(3) Work methodology should be employed so that all affairs could be done successfully under a limited budget.

Item 8: The process of administrative system in payment of compensation has efficiently internal and external coordination.

(1) Coordination among the 7 Bangkok Regional Social Security Offices, hospitals, and workplaces should be promoted.

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(2) Employers/employees being insured of the Social Security System at the first time should be oriented, or the public relations should be made, so that they had understood compensation and benefits given by the Workmen's Compensation Office.

(3) Internal and external communication systems should be provided so that rapid, multidirectional communications could be made.

(4) F link of database between that of the 7 Bangkok Regional Social Security Offices and that of the Workmen's Compensation Office should be installed so that searching any case could be made easily and rapidly, and using Form WCF.16 could be terminated.

Item 9: The performance of the process of administrative system in payment of compensation has been followed-up and evaluated in order to improve and solve problems arisen in each step systematically.

(1) Evaluation of works performed should be conducted systematically.

(2) Quantitative and qualitative following up on work performance should be conducted systematically and regularly.

(3) Working team(s) for improving and developing work system(s) should be established as needed.

(4) Evaluation of works performed should be conducted at least once a month.

Item 10: The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness.

(1) It had been inappropriate and unfair to some extent so that it should be corrected.

(2) Computerized system should be used in making issuance of prescription in payment of compensation. Manual system could lead any payment of compensation to a redundancy.

(3) The employee being waged monthly equal to or less than 15,000 baht should be paid 100% throughout his/her period of taking work recess, even a day.

(4) Computerized system should be developed so that it could maximize its speed as well as minimize its errors.

(5) Employers being willfully disobeyed to the conditions set forth should be accused seriously.

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(6) Data concerning aliment of employees in the course of employment should be used in managing prevention programs.

Recommendations in totality

1. Registration of employees should be made rightfully, thoroughly, and currently so the tardiness of the system may be alleviated.

2. The Workmen's Compensation Office should be authorized to settle the fine legally in order to get more and better cooperation from the employers.

3. Conditions set forth by the Workmen's Compensation Office should be publicized widely so the employers and employees have known them correctly, timely, and clearly.

4. The expense payable to any hospital or medical institute for the same medical treatment should be standardized and controlled to the same level.

5. In-service training, on doing every step of these affairs effectively and efficiently and on doing decision of the cases practically as if which one was arisen out and in the course of employment, should be given to all of appointees before seating in the competent authorities of these affairs.

6. The norms of compensation payable to employees should be established so all employees, either being appellants or non-appellants, could have equality of right.

7. All manual systems should be improved to be computerized ones to which their database being linked together so not only the data and information concerning any employee could be entered, retrieved, and searched easily but also the time being used for any case as well as redundancy could be minimized.

4.3 Evaluation of affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases

The evaluation of affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases responded to the questionnaire by the competent authorities of the Workmen's Compensation Office and the appellants could be described as the following.

4.3.1 The evaluation as responded by the competent authorities

The results of evaluation of affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases as responded

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to the questionnaire by the competent authorities of the Workmen's Compensation Office were illustrated in Table 4-4.

Table 4-4 Mean and standard deviation of affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases as responded to the questionnaire by the competent authorities

Registration of the cases informed as encountering any of dangers/ailments/occupational diseases	Evaluation		
	$\bar{X}$	S.D.	Level
1. The process provided and being used for the registration of the cases informed as encountering any of dangers/ ailments/occupational diseases is performed easily by the competent authorities / the requesters.	3.15	1.05	Moderate
2. The process provided for the registration of such cases protects the interests of all requesters to a good level.	3.47	.94	Moderate
3. The process provided for the registration of such cases is of readiness in helping any of employees or his/her rightful owner(s) in submitting request for the compensation of all kinds.	3.64	.92	More
4. The duration prescribed that it shall inform any Bangkok Regional Social Security Office within 15 days after encountering danger of any employee is an ample period of time.	3.31	1.16	Moderate
5. Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days.	3.58	1.07	More
6. All of the competent authorities working as the registrar are well educated and experienced in carrying duty on the registration of all cases and providing good services.	3.56	.82	More
7. The competent authorities working as the registrar carry a straightforward account of the affairs on the registration of all cases by employing solely standardized process provided.	3.83	.93	More
8. Where certain error(s) being occurred at the step of registration of the case, the competent authorities had given all requesters the assistance impartially.	4.07	.85	More
9. The occurrence of error(s) at the step of registration is one of the causes leading to appeal.	2.56	1.25	Moderate
10. What is the level of your capability in performing registration?	3.63	.76	More

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Table 4-4 (Continued)

Registration of the cases informed as encountering any of dangers/ailments/occupational diseases	Evaluation		
	$\overline{X}$	S.D.	Level
11. What is the level of each following error occurred at the step of registration?			
11.1 Knowing nothing about the ways to inform the case	3.12	1.33	Moderate
11.2 Confusing about the documentary evidence(s)	3.14	1.24	Moderate
11.3 Having any uncompleted documentary evidence(s)	3.90	1.18	More
11.4 Being lost of documentary evidence(s) at the step of registration	2.20	1.16	Less
11.5 Informing the case at certain Bangkok Regional Social Security Office by mistake of locality	3.08	1.21	Moderate
11.6 Informing the same case redundantly	2.69	1.22	Moderate
Total	3.31	.51	Moderate

The data illustrated in Table 4-4 indicated that the opinion of the competent authorities towards the affairs concerning registration of the cases to which being informed as encountering any of dangers/ailments/occupational diseases were as the following. Seven items had their each mean of the more level (ranging from $\overline{X}$ = 3.56 – 4.07). The other eight items had their each mean of the moderate level (ranging from $\overline{X}$ = 2.56 – 3.47). And the another one item had its mean of the less level, i.e., being lost of documentary evidence(s) at the step of registration ($\overline{X}$ = 2.20). Their total opinion towards the affairs concerning registration of the cases informed as encountering any of dangers/ailments/ occupational diseases was of the moderate level ($\overline{X}$ = 3.31).

The recommendations given by the competent authorities towards the affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases were divided into 2 parts as the following.

Recommendations in each item

Item 1: The process provided and being used for the registration of the cases informed as encountering any of dangers/ailments/occupational diseases is performed easily by the competent authorities/the requesters.

(1) Identification card and its number of each employee should be used so that redundancy of the case could be checked easily.

(2) On-line system should be used for checking former cases.

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(3) Any system to which being possible to check trueness-to-type of the name of each authorized person and his/her proxy once had been informed to the Workmen's Compensation Office should be employed.

(4) Alternative systems enabling registration of the cases informed as encountering any of dangers/ailments/occupational diseases possible should be provided.

Item 2: The process provided for the registration of such cases protects the interests of all requesters to a good level.

(1) Any process being possible to make retrieval of data and information once had been informed should be employed. Because current data and information may not be adequate to prove the case so the Workmen's Compensation Office may have to pay excessive compensation and the employer may lose his/her interest.

(2) Affairs concerning safety at work should be added to the responsibility of the competent authorities working for the registration of the cases.

(3) The competent authorities should pay attention to and follow up every case having adequate information as it had been informed through any hospital.

Item 3: The process provided for the registration of such cases is of readiness in helping any of employees or his/her rightful owner(s) in submitting request for the compensation of all kinds.

(1) The competent authorities should have various experiences of affairs under their responsibility.

(2) The employers and employees being of new insured persons of the Social Security System should be arranged to go through an orientation program.

(3) Any form being used for informing the case should be filled completely and rightfully.

Item 4: The duration prescribed that it shall inform any Bangkok Regional Social Security Office within 15 days after encountering danger of any employee is an ample period of time.

(1) Documents needed for informing the case should be notified and clarified.

(2) Some rules and regulations concerned should be amended, i.e., "Every case shall be informed within 15 days as from the date the employer had known about the case." should be amended to "Every case shall be informed within 15 days as from

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the date the employee encountered any of dangers". And the duration of 15 days should be amended to 30 days in the case to which the employee met a serious injury or death.

Item 5: Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days.

(1) Such period should be shorter than 180 days.

(2) The employers should be notified about the value and worthiness of compensation system provided by the Workmen's Compensation Office, and the benefits gained by their employees, not only pay attention to the contribution payable to the Workmen's Compensation Office.

(3) The case should be informed as soon as possible. The sooner the case was submitted the faster the right of getting compensation could be given.

Item 6: All of the competent authorities working as the registrar are well educated and experienced in carrying duty on the registration of all cases and providing good services.

(1) The competent authorities should have relevant knowledge and various experiences of affairs.

(2) The competent authorities should pay more attention on the purpose(s) of request informed.

(3) The competent authorities should pay more carefulness on doing registration of the case informed otherwise errors of some statistical data and information concerning employees might be resulted and any relevant prevention could not be made directly against the causes.

Item 7: The competent authorities working as the registrar carry a straightforward account of the affairs on the registration of all cases by employing solely standardized process provided. The recommendation given was that the same procedures should be employed in doing registration of the cases informed and computerized systems should be used.

Item 8: Where certain error(s) being occurred at the step of registration of the case, the competent authorities had given all requesters the assistance impartially. The recommendation given was that it should have regulations to which the hospital should

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deliver document one after another and delivery lumps of document should be prohibited so that the consideration of every case could be disposed expeditiously.

Item 9: The occurrence of error(s) at the step of registration is one of the causes leading to appeal.

(1) The competent authorities should enter data and information concerned more carefully otherwise missing and error might be resulted.

(2) The competent authorities should check data and information concerned in details otherwise some of them could be mixed with any bad motive ones for getting unjust interest.

Item 11: What is the level of each following error occurred at the step of registration?

(1) The steps of doing registration of the cases informed should be publicized clearly and widely to minimize errors.

(2) The employees being admitted for medical treatments at the hospital should be informed it is a must that their cases shall be informed to the Workmen's Compensation Office as well.

Recommendations in totality

1. All of the requesters should be recommended closely that they should fill the Form WCF.16 being used completely and make it attached by all of documentary evidences needed.

2. After receiving the case, the competent authorities should inspect all documents in details. If there is anything erred, recommendation shall be given to its requester without delay to have it corrected as soon as possible.

3. The competent authorities responsible for the registration of the cases should have a capacity for sorting the case primarily.

4. Data and information of the 7 Bangkok Regional Social Security Offices and of the Workmen's Compensation Office should be linked together to prevent redundancy of registration as requesting compensation from those two Offices simultaneously, i.e., in the case of employee's death. A suitable computerized system should be used so that redundancy of the cases informed could be found easily and immediately at the registration counter instead of at the central Offices.

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5. Computerized systems being used currently should be readjusted because errors had been frequently occurred.

6. The hospital should deliver documents concerned without delay otherwise the case might be processed with difficulty or could not be processed at all especially if the employee, the requester of the case, had resigned his/her work.

4.3.2 The evaluation as responded by the appellants

The results of evaluation of affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases as responded to the questionnaire by the appellants were illustrated in Table 4-5 and Table 4-6.

Table 4-5 Mean and standard deviation of affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases performed by the appellants

Registration of the cases informed as encountering any of dangers/ailments/occupational diseases	Evaluation		
	$\overline{X}$	S.D.	Level
1. The process provided and being used for the registration of the cases informed as encountering any of dangers/ ailments/occupational diseases is performed easily by the competent authorities / the requesters.	3.60	.92	More
2. The process provided for the registration of such cases protects the interests of all requesters to a good level.	3.64	.82	More
3. The process provided for the registration of such cases is of readiness in helping any of employees or his/her rightful owner(s) in submitting request for the compensation of all kinds.	3.43	.65	Moderate
4. The duration prescribed that it shall inform any Bangkok Regional Social Security Office within 15 days after encountering danger of any employee is an ample period of time.	3.40	1.10	Moderate
5. Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days.	4.09	.93	More
6. All of the competent authorities working as the registrar are well educated and experienced in carrying duty on the registration of all cases and providing good services.	3.45	.82	Moderate

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Table 4-5 (Continued)

Registration of the cases informed as encountering any of dangers/ailments/occupational diseases	Evaluation		
	$\overline{X}$	S.D.	Level
7. The competent authorities working as the registrar carry a straightforward account of the affair on the registration of all cases by employing solely standardized process provided.	3.62	.80	More
8. Where certain error(s) being occurred at the step of registration of the case, the competent authorities had given all requesters the assistance impartially.	3.55	.77	More
9. The occurrence of error(s) at the step of registration is one of the causes leading to appeal.	2.89	1.07	Moderate
10. What is the level of your knowledge about using registration services?	3.43	.99	Moderate
Total	3.51	.50	More

The data illustrated in Table 4-5 indicated that the opinion of the appellants towards the registration of the cases to which being informed as encountering any of dangers/ailment/occupational diseases were as the following. Five items had their each mean of the more level (ranging from $\overline{X}$ = 3.55 – 4.09). The other 5 items had their each mean of the moderate level (ranging from $\overline{X}$ = 2.89 – 3.45). And their total opinion towards the affairs concerning registration of the cases to which being informed as encountering any of dangers/ailment/occupational diseases was of the more level ($\overline{X}$ = 3.51).

Table 4-6 Evaluation of affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases performed by the appellants classified by number and percentage of each item about the causes of error made by the appellants at the steps of registration

Causes of error made by the appellants at the steps of registration	N = 47	
	Number	Percentage
1. Knowing nothing about the ways to inform the case	5	10.6
2. Confusing about the documentary evidence(s)	17	36.2
3. Having any uncompleted documentary evidence(s)	21	44.7
4. Being lost of documentary evidence(s) at the step of registration	6	12.8
5. Informing the case at certain Bangkok Regional Social Security Office by mistake of locality	2	4.3

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The data illustrated in Table 4-6 indicated that the opinion of the appellants towards the registration of the cases being informed as encountering any of dangers/ailment/occupational diseases about the causes of error made by the appellants at the steps of registration were as the following. In the first place, having any uncompleted documentary evidence(s) was of the most frequency as numbered 21 calculated as 44.7%. In the second place, confusing about the documentary evidence(s) numbered 17 calculated as 36.2%. And in the last place, informing the case at certain Bangkok Regional Social Security Office by mistake of locality was of the least as numbered 2 calculated as 4.3%.

The recommendations given by the appellants towards the affairs concerning registration of the cases being informed as encountering any of dangers/ailments/ occupational diseases were divided into 2 parts as the following.

Recommendations in each item

Item 2: The process provided for the registration of such cases protects the interests of all requesters to a good level.

(1) In the case that the requester could not remember his/her case reference number, his/her identification number should be used instead.

(2) The requester should be given relevant recommendations as soon as possible before submission of the case.

Item 3: The process provided for the registration of such cases is of readiness in helping any of employees or his/her rightful owner(s) in submitting request for the compensation of all kinds.

(1) The ways to which the case could be followed easily and directly should be provided.

(2) The competent authorities should give each requester the relevant recommendations to prevent him/her from being lost of the right of getting compensation.

Item 4: The duration prescribed that it shall inform any Bangkok Regional Social Security Office within 15 days after encountering danger of any employee is an ample period of time. The recommendation given was that such period should be more than 15 days.

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Item 5: Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days. The recommendation given was that all employees should be informed to known that they have this right in order to enable them to get all benefits from such right.

Item 6: All of the competent authorities working as the registrar are well educated and experienced in carrying duty on the registration of all cases and providing good services.

(1) The competent authorities should inform each requester that what documentary evidence(s) must be attached to his/her case, and check its completeness immediately after receiving the case.

(2) The competent authorities should have no dispute or contention with each other on the same case.

(3) If any of the competent authorities resigned, all affairs under his/her responsibility should be transferred to another one clearly.

Item 7: The competent authorities working as the registrar carry a straightforward account of the affair on the registration of all cases by employing solely standardized process provided. The recommendation given was that the procedures and steps employed should be standardized and publicized so that each of them could be followed easily.

Item 8: Where certain error(s) being occurred at the step of registration of the case, the competent authorities had given all requesters the assistance impartially.

(1) The recommendations given should be clear and of no ambiguity.

(2) After receiving any case, its requester should be given an advice that he/she shall keep track of the case to enable it being processed more rapidly.

Item 9: The occurrence of error(s) at the step of registration is one of the causes leading to appeal. The recommendation given was that the competent authorities should be developed to keep track of each case procedurally and systematically.

Item 10. What is the level of your knowledge about using registration services? The recommendation given was that all of the 7 Bangkok Regional Social Security Offices should give the employers and employees the recommendations about using registration services through seminars.

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The causes of error made by the appellants at the steps of registration being evaluated by the appellants as mentioned in Table 4-6.

(1) The requester should not lose any of his/her documents/evidences.

(2) The requester should inform date, time, and events concerning the case clearly.

(3) The requester should spell his/her first name and family name correctly and in accordance with that being written on the Social Security Identification Card.

(4) Provided that it should have any competent authority to be responsible to each case directly and continually.

Recommendations in totality

1. The Workmen's Compensation Office of any Bangkok Regional Social Security Office should have authorized to register all cases not only the ones within its own jurisdiction of responsibility but also within that of the other Offices.

2. Documents required for doing submission of the case should be clearly and widely publicized. When having any case being registered, the authorities should check all documents for their completeness immediately. And relevant recommendations shall be given right off if there is anything incomplete or incorrect.

3. The Workmen's Compensation Office should appoint the competent authorities to verify the facts concerned at the hospital, and to inquire the injured or the ailed persons including to keep track of each case individually.

4. Good filing of data and information should be employed so that the case could be processed well even though the competent authority being responsible to such case had been changed in his/her post.

5. The Workmen's Compensation Office should issue a letter of receipt for every case registered, and should set a system to which enabling the issuance of reference number for the case informed as encountering any of dangers could be made immediatiely.

4.4 Evaluation of affairs concerning verification of the facts

The evaluation of affairs concerning verification of the facts as responded to the questionnaire by the competent authorities of the Workmen's Compensation Office and the appellants could be described as the following.

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4.4.1 The evaluation as responded by the competent authorities

The results of evaluation of affairs concerning verification of the facts as responded to the questionnaire by the competent authorities of the Workmen's Compensation Office were illustrated in Table 4-7.

Table 4-7 Mean and standard deviation of affairs concerning verification of the facts as responded to the questionnaire by the competent authorities

	Affairs concerning verification of the facts	Evaluation		
		$\overline{X}$	S.D.	Level
1.	Verification of the facts is an important step of the process in payment of compensation so that it needs to be performed by well-educated, skilled, and experienced competent authorities.	4.22	.89	More
2.	The competent authorities performing verification of the facts at each of Bangkok Regional Social Security Offices are different in their knowledge, skill and experience.	3.71	.83	More
3.	Each competent authority draws or collects the facts concerned through different means.	3.54	.97	More
4.	No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence(s).	3.64	1.09	More
5.	In performing verification of the facts, impartial records are made.	4.27	.64	More
6.	In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly.	4.39	.70	More
7.	Informing any case of encountering danger vaguely leads the verification of the facts into difficulties.	4.12	.93	More
8.	The process being used for the verification of the facts is convenient to the requesters.	3.37	.87	Moderate
9.	In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned.	4.24	.82	More
10.	What is the level of your total knowledge and competency in performing verification of the facts?	3.59	.77	More
11.	What is the degree to which the following step of the verification process leading any case to be appealed?			
	11.1 Verification of the facts	3.29	1.03	Moderate
	11.2 Searching and collecting evidences concerned	3.39	.91	Moderate
	11.3 Recording answers, deposition, and pleading	3.14	.97	Moderate
	11.4 Weighing accountability of evidence(s) concerned	3.24	1.06	Moderate
	Total	3.73	.52	More

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The data illustrated in Table 4-7 indicated that the opinions of the competent authorities towards the affairs concerning verification of the facts as responded to the questionnaire by the competent authorities were as the following. Nine items had their each mean of the more level (ranging from $\overline{X}$ = 3.54 – 4.27). The other five items had their each mean of the moderate level (ranging from $\overline{X}$ = 3.14 – 3.39). And their total opinion towards the affairs concerning verification of the facts was of the more level ($\overline{X}$ = 3.73).

The recommendations given by the competent authorities towards the affairs concerning verification of the facts were divided into 2 parts as the following.

Recommendations in each item

Item 1: Verification of the facts is an important step of the process in payment of compensation so that it needs to be performed by well-educated, skilled, and experienced competent authorities.

(1) The Workmen's Compensation Office should have personnel and vehicles being ready for doing verification of the facts concerned outside such Office especially the case of difficulty, i.e., the facts concerning daily employee, should be verified immediately.

(2) The competent authorities should be trained on verification techniques.

(3) Main issues for verifying each case should be set forth so that its facts could be revealed in details.

Item 2: The competent authorities performing verification of the facts at each of Bangkok Regional Social Security Offices are different in their knowledge, skill and experience.

(1) A handbook for verification of the facts in according to each of the different cases should be made and standardized for being employed as a standard precedence for verifying facts of the future cases.

(2) Training on taking evidence techniques and psychological techniques should be held.

Item 3: Each competent authority draws or collects the facts concerned through different means.

(1) Only methods gaining adequacy and truthfulness of the facts should be employed.

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(2) The competent authorities should be trained by the trainers being experienced in various fields.

Item 4: No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence(s).

(1) All affairs should be done rapidly, occasional mobilization of competent authorities should be a must as necessary.

(2) In the case being of vagueness, additional investigation of the facts should be made.

(3) Verification of the facts should be controlled to be under the same procedures, not depended upon the techniques provided by a particular Bangkok Regional Social Security Office.

Item 6: In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly. The recommendation given was that it should consider and accept only true evidences and eyewitness and record only in accordance with the facts and rules and regulations.

Item 7: Informing any case of encountering danger vaguely leads the verification of the facts into difficulties.

(1) The employers, employees, and the rightful owners should be publicized that no false cases wishing for unjust benefits could be registered to the Workmen's Compensation Office.

(2) The employers, employees, and the rightful owners should be publicized that they should inform only clear information.

(3) If possible, any employee should inform the case himself because more relevant facts could be given.

(4) Public relations about the affairs concerned should be made widely.

Item 8: The process being used for the verification of the facts is convenient to the requesters.

(1) It should be arranged to give the requesters the more convenient; one stop services should be provided.

(2) Forms being used in registration of the cases should be amended and improved by adding space for reporting description of injury.

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(3) Rules, regulations, and laws concerned should be amended that the period of time spent by the employee for registration of the case or for giving statement should not be counted by the employer as the day(s) of either absence or leave of absence.

(4) Each case should be proceeded to the finish as soon as possible. Some cases were finished after any dissolution of the company or resignation of the employee.

Item 9: In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned.

(1) Publicizing should be made in advance to which the employers and employees had been understood about the affairs concerned and led them to give better cooperation.

(2) The employers and employees concerning the cases should be notified in advance about when and what kind of information, deposition, and pleading that they shall give out. So they would have an ample period of time to prepare themselves and could follow such notification reasonably.

(3) Every requester should be ordered to give the Workmen's Compensation Office not only his/her own residential address including telephone number(s) but also those of person(s) that could keep in touch with him/her any time.

(4) The evidence being required to attach with the Form of request should be fully completed and with adequate details.

(5) Rules, regulations, and laws concerned should be amended so any competent authority could certify the case with obvious injury because the provisions being enforced were specified that verification of the facts concerned shall be a must. This had led the case to tardiness.

Recommendations in totality

1. Training and apprenticing on verification of the facts concerned should be held so the competent authorities could be capable of doing such affairs relevantly and efficiently.

2. Every step of the procedures employed should match and cover the matter of facts being required in each category of the cases.

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3. Suggestive interrogation should not be employed because it could lead the case to be appealed.

4. The ways leading to get cooperation from the employers and employees in order to urge them to give out the facts and evidence being useful to the decision and decision making should be sought.

5. The importance of additional document(s) and evidence(s) being requested should be relevantly notified.

6. In the case that the registration had been made through the hospital, medical record(s) and physician's opinion in legible writings should be always attached with it.

4.4.2 The evaluation as responded by the appellants

The results of evaluation of affairs concerning verification of the facts as responded to the questionnaire by the appellants were illustrated in Table 4-8 and Table 4-9.

Table 4-8 Mean and standard deviation of affairs concerning verification of the facts as responded to the questionnaire by the appellants

	Affairs concerning verification of the facts	Evaluation		
		$\bar{X}$	S.D.	Level
1.	Verification of the facts is an important step of the process in payment of compensation so that it needs to be performed by well-educated, skilled, and experienced competent authorities.	4.21	.62	More
2.	The competent authorities performing verification of the facts at each of Bangkok Regional Social Security Offices are different in their knowledge, skill and experience.	3.77	.79	More
3.	Each competent authority draws or collects the facts concerned through different means.	3.74	.77	More
4.	No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence(s).	3.11	1.24	Moderate
5.	In performing verification of the facts, impartial records are made.	3.94	.87	More
6.	In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly.	3.64	.85	More
7.	Informing any case of encountering danger vaguely leads the verification of the facts into difficulties.	4.02	.85	More

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Table 4-8 (Continued)

	Affairs concerning verification of the facts	Evaluation		
		$\bar{X}$	S.D.	Level
8.	The process being used for the verification of the facts is convenient to the requesters.	3.36	1.09	Moderate
9.	In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned.	2.09	1.02	Less
	Total	3.53	.46	More

The data illustrated in Table 4-8 indicated that the opinion of the appellants towards the affairs concerning verification of the facts as responded to the questionnaire by the appellants were as the following. Six items had their each mean of the more level (ranging from $\bar{X}$ = 3.64 – 4.21). Two items had their each mean of the moderate level (ranging from $\bar{X}$ = 3.11 – 3.36). And one item had its mean of the less level ($\bar{X}$ = 2.09). Their total opinion towards the affairs concerning verification of the facts was of the more level ($\bar{X}$ = 3.53).

Table 4-9 Evaluation of affairs concerning verification of the facts performed by the appellants classified by number and percentage of each item about the steps of affairs concerning verification of the facts that led the cases to be appealed

	Steps of affairs concerning verification of the facts that led the cases to be appealed	N = 47	
		Number	Percentage
1.	Verification of the facts	16	34.0
2.	Searching and collecting evidences concerned	8	17.0
3.	Recording answers, deposition, and pleading	6	12.8
4.	Weighing accountability of evidence(s) concerned	5	10.6

The data illustrated in Table 4-9 indicated that the opinion of the appellants towards the steps of affairs concerning verification of the facts that led the cases to be appealed were as the following. In the first place, verification of the facts was of the most frequency as numbered 16 calculated as 34.0%. In the second place, searching and collecting evidence concerned numbered 8 calculated as 17.0%. And in the last

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place, weighing accountability of evidence(s) concerned was of the least numbered 5 calculated as 10.6%.

The recommendations given by the appellants towards the affairs concerning verification of the facts were divided into 2 parts as the following.

Recommendations in each item

Item 1: Verification of the facts is an important step of the process in payment of compensation so that it needs to be performed by well-educated, skilled, and experienced competent authorities.

(1) The competent authorities should pay more attention on carefulness and sense of justice to their affairs.

(2) Verification of the facts should be done by a group of three parties, i.e., competent authority, employee, and employer or eyewitness.

Item 2: The competent authorities performing verification of the facts at each of Bangkok Regional Social Security Offices are different in their knowledge, skill and experience. The recommendation given was that the requesters should be informed immediately that what documents and evidences to which having to be attached to the case being registered.

Item 5: In performing verification of the facts, impartial records are made. The recommendation given was that verification of the facts should be done before the issuance of any primary decision or after any case had been appealed.

Item 7: Informing any case of encountering danger vaguely leads the verification of the facts into difficulties. The recommendation given was that it should be of the first priority that the first name, family name, and all reference number of documents must be given rightly.

Item 8: The process being used for the verification of the facts is convenient to the requesters.

(1) Making appointment should be an agreement between the parties concerned, i.e., between the competent authority and the person(s) to which going under verification. It should not made only by the competent authority.

(2) The competent authorities should keep tract of the medical records and other documents those were not of the personal document of the employees.

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The steps of affairs concerning verification of the facts that led the cases to be appealed as being evaluated by the appellants and mentioned in Table 4-9.

(1) Verification of the facts should be done before the issuance of any primary decision.

(2) All affairs concerning verification of the facts should be proceeded circumspectly.

(3) The competent authorities carrying verification of the facts should understand the characteristics of business and activity being done by any employee rightly to which enabling them a better capability in collecting evidences.

Recommendations in totality

1. The persons working as competent authorities to which carrying verification of the facts should not be changed or transferred with excessive frequency. This might lead to discontinuity of the affairs.

2. Verification of the facts and collecting evidences should be done before the issuance of primary decision of each case.

3. The competent authorities carrying verification of the facts should have at least a chance to meet the injured/ailed person being treated at the hospital to provide them the opportunity of better consideration as soon as possible. It was not necessary to wait until the injured/ailed person had been recovered from his/her injury/illness. By doing this, they could not only keep tract of medical treatments but also make a better capability in collecting evidences to which being much more in details. In addition, the collection of evidences should be made timely because the evidences being occurred a long time ago sometimes had been difficult to seek for any eyewitness.

4.5 Evaluation of affairs concerning consideration, decision, and prescription making in payment of compensation

The evaluation of affairs concerning consideration, decision, and prescription making in payment of compensation as responded to the questionnaire by the competent authorities of the Workmen's Compensation Office and the appellants could be described as the following.

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4.5.1 The evaluation as responded by the competent authorities

The results of evaluation of affairs concerning consideration, decision, and prescription making in payment of compensation as being responded to the questionnaire by the competent authorities of the Workmen's Compensation Office were illustrated in Table 4-10.

Table 4-10 Mean and standard deviation of affairs concerning consideration, decision, and prescription making in payment of compensation as being responded to the questionnaire by the competent authorities

Affairs concerning consideration, decision, and prescription making in payment of compensation	Evaluation		
	$\overline{X}$	S.D.	Level
1. Most steps of the process provided for the verification and prescription in payment of compensation require medical evidence(s) but the competent authorities taking responsibility at the beginning steps are not the personnel of medical profession.	3.95	.95	More
2. The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness.	4.34	.76	More
3. In the case that some documents of medical evidence are uncompleted or non-delivered, the Medical Committee can give no recommendations, so that the competent authorities have to refuse to make the payment of compensation of such case.	3.44	1.13	Moderate
4. Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation.	3.02	1.09	Moderate
5. Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities.	3.47	1.04	Moderate
6. Reasoning as the patient's secret, some hospitals or physicians refuse to deliver medical evidence to the competent authorities; this leads decision and prescription making of the payment of compensation under restraint.	3.02	1.20	Moderate

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Table 4-10 (Continued)

Affairs concerning consideration, decision, and prescription making in payment of compensation	Evaluation		
	$\overline{X}$	S.D.	Level
7. Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion.	2.71	.89	Moderate
8. The provided frame of procedures for conducting diagnosis of some occupational diseases is not clear.	3.58	1.04	More
9. Most of decision and prescription in payment of compensation do justice to the requester.	3.81	.96	More
10. What is the level of your total knowledge and competency in performing decision and prescription making in payment of compensation?	3.71	.74	More
11. What is the degree to which each of the following steps of the decision and prescription making in payment of compensation leading any case to be appealed?			
11.1 The decision at the beginning step conducted by the competent authorities	3.14	.96	Moderate
11.2 The diagnosis conducted by the physician as the patient's treatment giver	3.00	1.11	Moderate
11.3 The consideration conducted by the Medical Committee or the Medical Subcommittee	3.29	1.18	Moderate
11.4 Having no documentary evidence of the requester	3.20	1.21	Moderate
11.5 Having no document of medical evidence or its equivalent issued by the hospital	3.10	1.17	Moderate
Total	3.39	.55	Moderate

The data illustrated in Table 4-10 indicated that the opinion of the competent authorities towards the affairs concerning consideration, decision, and prescription making in payment of compensation as being responded to the questionnaire by the competent authorities were as the following. Five items had their each mean of the more level (ranging from $\overline{X}$ = 3.58 – 4.34). The other ten items had their each mean of the moderate level (ranging from $\overline{X}$ = 2.71 – 3.47). And their total opinion towards the affairs concerning evaluation of affairs concerning consideration, decision, and prescription making in payment of compensation was of the moderate level ($\overline{X}$ = 3.39).

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The recommendations given by the competent authorities towards the affairs concerning consideration, decision, and prescription making in payment of compensation were divided into 2 parts as the following.

Recommendations in each item

Item 1: Most steps of the process provided for the verification and prescription in payment of compensation require medical evidence(s) but the competent authorities taking responsibility at the beginning steps are not the personnel of medical profession.

(1) Adequate pre-service training should be given to all of the competent authorities prior to appointing them to take up any of responsibilities concerned. Then their work performance should be evaluated.

(2) Meetings of the competent authorities working for the affairs concerning evaluation of affairs concerning consideration, decision, and prescription in payment of compensation should be held for the augmentation of experience transfer.

(3) Medical certificates and medical records should be issued as the legible written documents.

(4) The items to which being necessary to declare the disease codes ICD-10/ICD-9 CM should be entries such codes completely in according to the disease or ailment the employee being encountered.

(5) In the jurisdiction of each of the Bangkok Regional Social Security Offices, it should have at least a physician working permanently as the medical consultant.

(6) The request for drawing compensation should be submitted to the Workmen's Compensation Office and in every case it should be attached by medical record(s).

Item 2: The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness.

(1) Each of the Workmen's Compensation Offices should collect evidences, witnesses, and the facts concerned more rapidly.

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(2) Each of the Workmen's Compensation Offices having number of the cases informed as encountering any of dangers more than twice a month should have at least a physician being able to evaluate disablement and perform consulting practices.

(3) The duration of time given for operating consideration of each case informed should be fixed to a limited time frame.

(4) The number of consultation units should be increased.

Item 3: In the case that some documents of medical evidence are uncompleted or non-delivered, the Medical Committee can give no recommendations, so that the competent authorities have to refuse to make the payment of compensation of such case.

(1) Relations and coordination for urging delivery of documents should be made for the benefits of the employees.

(2) If there is any case being appealed, it should inform the hospital that the destruction of medical records pertaining to such case should be withheld. And after determination of such case, it should inform the hospital without delay.

Item 4: Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation.

(1) Each of contracted hospitals should have at least a physician for taking care the injured/ailed employees who have the right to get benefits from the Workmen's Compensation Fund.

(2) In case of ambiguity, the competent authorities concerned should consult a physician immediately.

Item 5: Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities.

(1) More coordination for betterment of cooperation should be made with such hospital and the injured/ailed persons to make them, as the case may be, deliver the documents required.

(2) In the absence of any documents to which it made the case under consideration being rejected and the competent authorities had to refuse making payment of compensation, such documents should be named clearly and thoroughly.

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Item 6: Reasoning as the patient's secret, some hospitals or physicians refuse to deliver medical evidence to the competent authorities; this leads decision and prescription making of the payment of compensation under restraint.

(1) Such problem had been concerned only the appellants who informed their cases as encountering any of occupational diseases and arisen from only either the hospital or clinic that did not a party to the contract. So such hospital or clinic as the case may be should be informed good reasons about why that medical evidence must be requested.

(2) Because medical evidence was beneficial to the employee concerned, more and better coordination should be made to urge such the hospital or clinic on delivery of medical evidence required.

Item 7: Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion.

(1) All physicians concerned should be well trained to enable them could standardize their decision making in accordance with the criteria set forth by the Social Security Office.

(2) Only a standardized Physical and Psychological Disability Evaluation Form should be used throughout the country.

Item 8: The provided frame of procedures for conducting diagnosis of some occupational diseases is not clear.

(1) The practical frame of procedures for conducting diagnosis of any occupational diseases should be set up and standardized individually, especially those in relation to herniated nucleus prolapsus (HNP), bone and nerve, occupational dorsodynia, allergic rash, opthalmic diseases, and microsurgery.

(2) The employee should be questioned further about his/her additional medical evidence as well as his/her ways of life to enable better revelation of some aspects those were not filled in the case under consideration.

Item 9: Most of decision and prescription in payment of compensation do justice to the requester.

(1) Compensation rate should be greater than 60%.

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(2) Payment of compensation should be started where at least one working day had been broken off as the very minimum.

Recommendations in totality

1. Personnel who had been responsible to decision making should be trained so as to enable them not only having known and being experienced in conducting physical examination and diagnosis correctly but also being capable in reading medical records and using their information proficiently and efficiently.

2. Expenses for each medical treatment payable to any hospitals or clinics should be standardized to be of fair and stabilized prices. And practical measures should be enforced as to control and stop not only excessive treating but also overpricing and overcharging.

4.5.2 The evaluation as responded by the appellants

The results of evaluation of affairs concerning consideration, decision, and prescription making in payment of compensation as being responded to the questionnaire by the appellants were illustrated in Table 4-11 and Table 4-12.

Table 4-11 Mean and standard deviation of affairs concerning consideration, decision, and prescription making in payment of compensation as being responded to the questionnaire by the appellants

Affairs concerning consideration, decision, and prescription making in payment of compensation	Evaluation		
	$\bar{X}$	S.D.	Level
1. Most steps of the process provided for the verification and prescription in payment of compensation require medical evidence(s) but the competent authorities taking responsibility at the beginning steps are not the personnel of medical profession.	3.66	.92	More
2. The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness.	3.98	.87	More
3. In the case that some documents of medical evidence are uncompleted or non-delivered, the Medical Committee can give no recommendations, so that the competent authorities have to refuse to make the payment of compensation of such case.	3.83	.79	More

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Table 4-11 (Continued)

Affairs concerning consideration, decision, and prescription making in payment of compensation	Evaluation		
	$\overline{X}$	S.D.	Level
4. Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation.	3.57	.95	More
5. Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities.	2.64	1.36	Moderate
6. Reasoning as the patient's secret, some hospitals or physicians refuse to deliver medical evidence to the competent authorities; this leads decision and prescription making of the payment of compensation under restraint.	2.91	1.36	Moderate
7. Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion.	3.51	.93	More
8. The provided frame of procedures for conducting diagnosis of some occupational diseases is not clear.	3.45	.85	Moderate
9. Most of decision and prescription making in payment of compensation do justice to the requester.	3.21	.95	Moderate
Total	3.42	.57	Moderate

The data illustrated in Table 4-11 indicated that the opinion of the appellants towards the affairs concerning consideration, decision, and prescription making in payment of compensation as being responded to the appellants were as the following. Five items had their each mean of the more level (ranging from $\overline{X}$ = 3.51 – 3.98). The other four items had their each mean of the moderate level (ranging from $\overline{X}$ = 2.64 – 3.45). And their total opinion towards the affairs concerning consideration, decision, and prescription making in payment of compensation was of the moderate level ($\overline{X}$ = 3.42).

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Table 4-12 Evaluation of affairs concerning consideration, decision, and prescription making in payment of compensation as being responded by the appellants, classified by number and percentage of the items to which they had been the cause of error and led the cases to be appealed

Affairs concerning consideration, decision, and prescription making those were the cause of error leading the cases to be appealed	N = 47	
	Number	Percentage
1. The decision at the beginning step conducted by the competent authorities	28	59.6
2. The diagnosis conducted by the physician as the patient's treatment giver	2	4.3
3. The consideration conducted by the Medical Committee or the Medical Subcommittee	15	31.9
4. Having no documentary evidence of the requester	2	4.3

The data illustrated in Table 4-12 indicated that the steps of affairs concerning consideration, decision, and prescription making in payment of compensation to which they had been the cause of errors and led the cases to be appealed were as the following. In the first place, the cases, numbered 28 and calculated as 59.6%, were caused primarily by committing error in decision making of the competent authorities. In the second place, the cases numbered 15 and calculated as 31.9% were caused by consideration making of either certain Medical Committee or the Medical Sub-Committee appointed by the Medical Committee. And in the last place, medical diagnosis made by certain physicians who were the treatment giver and absence of documents required made by the appellants were of the least cases, numbered 2 and calculated as 4.3% each.

The recommendations given by the appellants towards the affairs concerning consideration, decision, and prescription making in payment of compensation were divided into 2 parts as the following.

Recommendations in each item

Item 1: Most steps of the process provided for the verification and prescription in payment of compensation require medical evidence(s) but the competent authorities taking responsibility at the beginning steps are not the personnel of medical profession.

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(1) The personnel of medical profession should be employed to maximize service availability as well as to minimize possible errors simultaneously.

(2) The personnel being responsible to decision making in payment of compensation should have a good command of the laws concerning workmen's compensation.

Item 2: The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness. The recommendation given was that any Bangkok Regional Social Security Offices facing this problem should consult in the matter.

Item 3: In the case that some documents of medical evidence are uncompleted or non-delivered, the Medical Committee can give no recommendations, so that the competent authorities have to refuse to make the payment of compensation of such case. The recommendation given was that a proclamation of documents and evidences to which being in need to be attached to the case being registered should be officially made.

Item 4: Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation. The recommendation given was that such personnel should question the requesters in more details to enable finer decision.

Item 6: Reasoning as the patient's secret, some hospitals or physicians refuse to deliver medical evidence to the competent authorities; this leads decision and prescription making of the payment of compensation under restraint. The recommendation given was that the procedures of officially delivering documents and medical evidence pertaining to the patients being claimed to be the insured of the Workmen's Compensation Fund, from the hospitals to the agencies concerned, should be regularized.

Item 8: The provided frame of procedures for conducting diagnosis of some occupational diseases is not clear. The recommendation given was that a practicable manual or handbook for the workplaces should be edited and publicized. This would

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be a means for minimizing erroneous decision making and maximizing better performance in following-up of the competent authorities as well.

Item 9: Most of decision and prescription in payment of compensation do justice to the requester.

(1) Decision and prescription making in payment of compensation should be always done with circumspection.

(2) Consideration should not be made without delay.

(3) Compensation rates should be adjusted from 60% to 80%.

The affairs concerning consideration, decision, and prescription making those were the cause of error leading the cases to be appealed as mentioned in Table 4-12.

(1) The competent authorities being responsible to these affairs should be perform their duties to the best of their knowledge and capability.

(2) The Medical Committees taking consideration on the compensation for disability or impairment at the beginning step and after the case was appealed should perform their task on the same technical bases.

(3) Before taking any primary consideration, verification of the facts concerned should be done first.

Recommendations in totality

1. Criteria for conducting diagnosis on each of occupational diseases should be set up.

2. Criteria on setting rates of compensation should be given to the workplaces. These also should be used as guidelines for increasing better cooperation between the workplaces and the agencies concerned in performing delivery of the case, following-up the resolution, and the decision given pertaining to the case.

3. The Medical Committees taking consideration on the compensation payable to the case of disability or impairment at the beginning step and after the case was appealed should perform such task on the same standardized procedures.

4. Compensation rates should be adjusted from 60% to 80%.

5. Before taking any primary consideration, verification of the facts concerned should be done first in every case.

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4.6 Evaluation of affairs concerning appealed cases

The evaluation of affairs concerning appealed cases as responded to the questionnaire by the competent authorities of the Workmen's Compensation Office and the appellants could be described as the following.

4.6.1 The evaluation as responded by the competent authorities

The results of evaluation of affairs concerning appealed cases as being responded to the questionnaire by the competent authorities were illustrated in Table 4-13.

Table 4-13 Mean and standard deviation of affairs concerning appealed cases as being responded to the questionnaire by the competent authorities

	Affairs concerning appealed cases	Evaluation		
		$\bar{X}$	S.D.	Level
1.	Provided that any appeal shall be submitted to the Workmen's Compensation Fund Committee first and then to the Industrial Tribunal is the appropriate system.	3.81	1.01	More
2.	Provided that the submission of any appeal to the Workmen's Compensation Fund Committee shall be made within 30 days, such duration is the ample period of time.	4.02	.94	More
3.	Provided that the submission of any appeal to the Industrial Tribunal shall be made within 30 days, such duration is the appropriate period of time.	4.05	.99	More
4.	As having no time frame for the completion of decision of appeal, such time frame should be legally provided.	4.00	.89	More
5.	Decisions and directives indicating requesters whoever possessing right or having no right to receive compensation are, in all cases, of righteousness and fairness.	3.61	.85	More
6.	Most of appeal cases are caused by any dissatisfaction of employees or employers with the decisions and directives issued by the competent authorities of the Workmen's Compensation Office.	3.93	.98	More
7.	Some appeal cases are caused by any of erroneous and unjust decisions and directives.	2.51	.94	Moderate
8.	Medical Committee, including Medical Subcommittee appointed by the Medical Committee, is able to assist the decision of appeal to be of righteousness, circumspectness, punctualness to the issue, and fairness.	3.80	.80	More

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Table 4-13 (Continued)

	Affairs concerning appealed cases	Evaluation		
		$\overline{X}$	S.D.	Level
9.	Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries.	3.12	1.13	Moderate
10.	What is the level of your total knowledge and competency in performing appeal cases?	3.31	.73	Moderate
11.	What is the degree to which each of the following decisions or directives able to lead your case to be appealed?			
	11.1 Encountering such danger(s)/occupational disease(s) was not caused by means of doing work in the course of employment	3.59	1.22	More
	11.2 Because the expense for medical treatment was over 35,000 baht, the appeal had to be made for upgrading such reimbursement to the level of 85,000 baht	3.83	1.00	More
	11.3 The compensation for disability	3.00	1.07	Moderate
	11.4 The inconsistency of beneficial interests	2.51	1.09	Moderate
	11.5 The expense for medical treatment demanded by the hospital to which under contract made to the Workmen's Compensation Office	3.15	1.14	Moderate
	11.6 Requesting for a change of decision(s)	2.90	1.16	Moderate
	Total	3.45	.46	Moderate

The data illustrated in Table 4-13 indicated that the steps of affairs concerning appealed cases as being responded to the questionnaire by the competent authorities were as the following. Nine items had their each mean of the more level (ranging from $\overline{X}$ = 3.59 – 4.05). The other seven items had their each mean of the moderate level (ranging from $\overline{X}$ = 2.51 – 3.31). And their total opinion towards the affairs concerning appealed cases was of the moderate level ($\overline{X}$ = 3.45).

The recommendations given by the competent authorities towards the affairs concerning appealed cases were only in each item as the following.

Item 2: Provided that the submission of any appeal to the Workmen's Compensation Fund Committee shall be made within 30 days, such duration is the ample period of time. The recommendation given was that such duration should be extended to a period of 50 days.

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Item 3: Provided that the submission of any appeal to the Industrial Tribunal shall be made within 30 days, such duration is the appropriate period of time. The recommendation given was that such duration should be extended to a period of 45 days.

Item 4: As having no time frame for the completion of decision of appeal, such time frame should be legally provided. The recommendations given were as the following.

(1) The number of due hours or due dates as the case may be to each case should be set forth.

(2) Delivery of duties should be systemized so that every personnel concerned should be able to deputize each other for making completion of work.

Item 5: Decisions and directives indicating requesters whoever possessing right or having no right to receive compensation are, in all cases, of righteousness and fairness. The recommendation given was that the competent authorities taking responsibility on decision making in payment of compensation of the appealed cases should be really of self-independence and perform every task by means of putting all facts concerned under consideration.

4.6.2 The evaluation as responded by the appellants

The results of evaluation of affairs concerning appealed cases as being responded to the questionnaire by the appellants, and the matter leading the cases to be appealed were illustrated in Table 4-14 and Table 4-15 respectively.

Table 4-14 Mean and standard deviation of affairs concerning appealed cases as being responded to the questionnaire by the appellants

	Affairs concerning appealed cases	Evaluation		
		$\bar{X}$	S.D.	Level
1.	Provided that any appeal shall be submitted to the Workmen's Compensation Fund Committee first and then to the Industrial Tribunal is the appropriate system.	4.11	.79	More
2.	Provided that the submission of any appeal to the Workmen's Compensation Fund Committee shall be made within 30 days, such duration is the ample period of time.	3.72	1.06	More

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Table 4-14 (Continued)

	Affairs concerning appealed cases	Evaluation		
		$\overline{X}$	S.D.	Level
3.	Provided that the submission of any appeal to the Industrial Tribunal shall be made within 30 days, such duration is the appropriate period of time.	3.83	1.05	More
4.	As having no time frame for the completion of decision of appeal, such time frame should be legally provided.	4.51	.95	Most
5.	Decisions and directives indicating requesters whoever possessing right or having no right to receive compensation are, in all cases, of righteousness and fairness.	2.81	1.01	Moderate
6.	Most of appeal cases are caused by any dissatisfaction of employees or employers with the decisions and directives issued by the competent authorities of the Workmen's Compensation Office.	3.72	1.10	More
7.	Some appeal cases are caused by any of erroneous and unjust decisions and directives.	3.70	.98	More
8.	Medical Committee, including Medical Subcommittee appointed by the Medical Committee, is able to assist the decision of appeal to be of righteousness, circumspectness, punctualness to the issue, and fairness.	4.15	.86	More
9.	Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries.	2.09	1.18	Less
	Total	3.63	.48	More

The data illustrated in Table 4-14 indicated that the opinion of the appellants towards the affairs concerning appealed cases were as the following. One item had its mean of the most level ($\overline{X}$ = 4.51). Six items had their each mean of the more level (ranging from $\overline{X}$ = 3.70 – 4.15). One item had its mean of the moderate level ($\overline{X}$ = 2.81). One item had its mean of the less level ($\overline{X}$ = 2.09). And their total opinion towards the affairs concerning appealed cases was of the more level ($\overline{X}$ = 3.63).

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Table 4-15 Evaluation of affairs concerning appealed cases as being responded by the appellants classified by number and percentage of the matter leading the cases to be appealed

	The matter leading the cases to be appealed	N = 47	
		Number	Percentage
1.	Encountering such danger(s)/occupational disease(s) was not caused by means of doing work in the course of employment	14	29.8
2.	Because the expense for medical treatment was over 35,000 baht, the appeal had to be made for upgrading such reimbursement to the level of 85,000 baht	8	17.0
3.	The compensation for disability	5	10.6
4.	The inconsistency of beneficial interests	1	2.1
5.	The expense for medical treatment demanded by the hospital to which under contract made to the Workmen's Compensation Office	5	10.6
6.	Requesting for a change of decision(s)	14	29.8

The data illustrated in Table 4-15 indicated that the matter leading the appellants taking their cases to be appealed were as the following. Item 1.: Encountering such danger(s)/occupational disease(s) was not caused by means of doing work in the course of employment, and Item 6.: Requesting for a change of decision(s) were of the first place, equally numbered 14 and calculated as 29.8% each. Item 2.: Because the expense for medical treatment was over 35,000 baht, the appeal had to be made for upgrading such reimbursement to the level of 85,000 baht was of the second place, numbered 8 and calculated as 17.0%. And Item 4.: The inconsistency of beneficial interests was of the last place, numbered 1 and calculated as 2.1%.

The recommendations given by the appellants towards the affairs concerning appealed cases were divided into 2 parts as the following.

Recommendations in each item

Item 2: Provided that the submission of any appeal to the Workmen's Compensation Fund Committee shall be made within 30 days, such duration is the ample period of time. The recommendation given was that such duration should be extended to a certain extent to allow more ample time for searching and collecting

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additional reasons, documents, and other evidences concerned. The reasons were that some cases had been waited for putting under consideration, more or less, for a period of one year and then some additional evidences were required, and some of them need additional evidences before being taken to be appealed.

Item 4: As having no time frame for the completion of decision of appeal, such time frame should be legally provided. The recommendations given were as the following.

(1) The number of due hours or due dates as the case may be to each case should be set forth and publicized clearly and widely.

(2) The due dates of each case should not exceed a period of 60 days. This was because the process for consideration and decision making in those days taking a too long duration.

Item 6: Most of appeal cases are caused by any dissatisfaction of employees or employers with the decisions and directives issued by the competent authorities of the Workmen's Compensation Office.

(1) Before making any decision, the employee or the employer as the case may be should be questioned in details.

(2) The process of administrative system in payment of compensation should be organized so that everyone felt him/her being dealt with fair and square in every step.

Item 7: Some appeal cases are caused by any of erroneous and unjust decisions and directives.

(1) The requesters should give information of the best details and deliver documents completely to avoid doing error.

(2) The employees as the requesters of entering any of dangers/ailments should have an opportunity to give the competent authorities being responsible to decision making of the case the explanation timely. This could play as a preventive for them of being thought of being received unjust or unfair decisions and directives.

Item 8: Medical Committee, including Medical Subcommittee appointed by the Medical Committee, is able to assist the decision of appeal to be of righteousness, circumspectness, punctualness to the issue, and fairness. The recommendation given

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was that it should have the criteria of medical examination and diagnosis those are clear-cut and easy to be understood.

Item 9: Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries.

(1) Employees' relatives should do everything with reason instead of benefits.

(2) All employees should be explained about the matter of compensation benefits from the first.

(3) Penalty measures should be strictly enforced, and the competent authorities should be of self-independence in performing their tasks.

The matter leading the cases to be appealed as mentioned in Table 4-15.

(1) It should point out clearly in the decision that what criteria were applied to the case issued as not caused by means of doing work in the course of employment.

(2) Not only rules and regulations but also all facts and evidences should be put under consideration of decision making.

Recommendations in totality

1. The consideration of appealed cases should be proceeded and finished as fast as possible. In those days, some appealed cases were finished within a too long duration of 2 – 4 years. This had affected the employees to the great extent; some of them had to resign their works and take the new ones.

2. Following-up of additional documents and evidences should be systemized because one of the problems arisen in appealed cases were searching for additional documents and evidences, questioning for additional facts concerned, seeking for documents those were given and then lost.

3. The same medical standards should be employed in considering the same medical issue. This was because in those days the Medical Committee responsible to the cases before going appealed and the Medical Committee responsible to the cases after being appealed had not employed the same medical standards in considering the same medical issue. If the same medical standards were employed in considering the same medical issue, the number of appealed cases would be decreased.

4. The longest duration of time employed for considering appealed cases to the completion should not exceed a period of 60 days.

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4.7 Testing hypotheses

Testing hypotheses in the study on the opinion of the competent authorities concerned and of the appellants towards the process of administrative system in payment of compensation to the appealed cases were as the following.

4.7.1 Hypothesis I

The competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices having different duration of work, and working at any different Bangkok Regional Social Security Offices shall have no different opinions towards the process of administrative system in payment of compensation. F-test at the .05 probability level was employed in analysis of variance in comparing the opinion of the competent authorities having different duration of work, working at different workplaces, and having different experiences of their works towards the process of administrative system in payment of compensation. Such comparisons were illustrated in Table 4-16, Table 4-17, Table 4-18, and Table 4-19 respectively. And t-test at the .05 probability level was employed in comparisons involving two means as illustrated in Table 4-20 as the following.

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Table 4-16 Comparison of means and standard deviations of the opinion of the competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices and having different duration of work towards the process of administrative system in payment of compensation to the appealed cases

	The opinion of the competent authorities	Duration of work (in years)								F	P
		1 – 5		6 – 10		11 – 15		16 – 20			
		$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
1.	The process of administrative system in payment of compensation consists of clear-cut and practicable policies.	3.28	.91	3.21	.92	4.50	.71	3.00	.00	1.316	.278
2.	The process of administrative system in payment of compensation consists of effectively applicable objectives.	3.53	.88	3.53	1.02	4.50	.71	3.50	.71	.720	.545
3.	The process of administrative system in payment of compensation consists of clear-cut structures.	3.39	1.10	3.11	1.15	4.00	.00	2.50	.71	.893	.451
4.	The process of administrative system in payment of compensation consists of well-educated, experienced, and responsible administrators.	3.75	.77	3.58	.77	4.00	.00	3.00	.00	.876	.459
5.	The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work.	2.75	1.05	3.32	.89	3.50	.71	3.00	.00	1.573	.206
6.	The process of administrative system in payment of compensation being used is a solely standardized process to which being employed throughout the country.	3.11	1.26	3.00	1.05	4.50	.71	2.00	.00	1.572	.207

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Table 4-16 (Continued)

The opinion of the competent authorities	Duration of work (in years)								F	P
	1 – 5		6 – 10		11 – 15		16 – 20			
	$\bar{X}$	S.D.	$\bar{X}$	S.D.	$\bar{X}$	S.D.	$\bar{X}$	S.D.		
7. The process of administrative system in payment of compensation has a lump of sufficient budget needed for carrying out its affairs.	3.11	1.01	3.00	1.11	4.00	.00	4.50	.71	1.759	.166
8. The process of administrative system in payment of compensation has efficiently internal and external coordination.	2.83	1.00	2.89	.99	4.00	.00	3.00	.00	.903	.446
9. The performance of the process of administrative system in payment of compensation has been followed-up and evaluated in order to improve and solve problems arisen in each step systematically.	2.83	.91	2.95	1.08	4.00	.00	3.00	.00	.965	.416
10. The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness.	3.06	.89	2.63	.90	4.50	.71	3.00	.00	3.050	.036*
Total	3.16	.68	3.12	.63	4.15	.07	3.05	.07	1.554	.211

* Being of statistically significant difference at the .05 probability level

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The data illustrated in Table 4-16 indicated that the opinion of the competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Regional Social Security Offices and having different duration of work towards the affairs concerning appealed cases were not statistically different except of the Item 10. That was "The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness" being of statistically significant difference at the .05 probability level. So that Scheffé's test was employed in comparisons involving each two means, and the results were illustrated in Table 4-17.

Table 4-17 Mean and the difference of the opinion of the competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Regional Social Security Offices having different duration of work towards Item 10. The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness

The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness	$\overline{X}$	Duration of work (in years)			
		1 – 5	6 – 10	11 – 15	16 – 20
		3.06	2.63	4.50	3.00
1 – 5 years	3.06	-	-	-	-
6 – 10 years	2.63		-	*	-
11 – 15 years	4.50			-	-
16 – 20 years	3.00				-

* Being of statistically significant difference at the .05 probability level ($P < .05$)

The data illustrated in Table 4-17 indicated that the opinion of the competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Social Security Offices and having different duration of work towards Item 10 were being of statistically significant difference at the .05 probability level. Such data indicated that the mean of that opinion of the competent authorities having duration of 6 – 10 years of work was of the moderate level ($\overline{X} = 2.63$). And it was lower than that of the competent authorities having duration of 11 – 15 years of work to which it was of the more level ($\overline{X} = 4.50$).

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Table 4-18 Comparison of means and standard deviations of the opinion of the competent authorities of the Workmen's Compensation Fund, working at the different workplaces, towards the process of administrative system in payment of compensation to the appealed cases

The opinion of the competent authorities of the Workmen's Compensation Fund	Any of different workplaces: The Bangkok Regional Social Security Office														F	P
	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		Area 7			
	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
1. The process of administrative system in payment of compensation consists of clear-cut and practicable policies.	3.25	.71	3.15	1.14	2.88	.35	3.45	.93	3.50	.55	2.88	.99	4.40	.55	2.198	.058
2. The process of administrative system in payment of compensation consists of effectively applicable objectives.	3.50	.93	3.31	1.11	3.38	.74	3.64	.92	3.83	.75	3.38	.92	4.40	.55	1.095	.378
3. The process of administrative system in payment of compensation consists of clear-cut structures.	3.63	1.19	2.69	1.11	2.88	.35	3.64	1.21	3.17	.98	3.50	1.20	4.00	1.00	1.649	.153

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Table 4-18 (Continued)

The opinion of the competent authorities of the Workmen's Compensation Fund	Any of different workplaces: The Bangkok Regional Social Security Office														F	P
	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		Area 7			
	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
4. The process of administrative system in payment of compensation consists of well-educated, experienced, and responsible administrators.	3.88	.64	3.46	.52	3.75	.89	3.73	.90	3.67	.82	3.50	.93	4.00	.71	.490	.813
5. The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work.	3.38	.74	3.00	.91	2.25	.71	2.55	1.21	3.00	.89	3.13	.99	4.00	.71	2.496	.034*

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Table 4-18 (Continued)

The opinion of the competent authorities of the Workmen's Compensation Fund	Any of different workplaces: The Bangkok Regional Social Security Office														F	P
	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		Area 7			
	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
6. The process of administrative system in payment of compensation being used is a solely standardized process to which being employed throughout the country.	3.13	.99	2.62	1.26	2.75	1.04	3.18	1.60	3.33	1.21	3.75	.71	3.20	1.10	.911	.494
7. The process of administrative system in payment of compensation has a lump of sufficient budget needed for carrying out its affairs.	3.50	1.20	3.15	1.34	2.75	.71	2.73	1.10	3.00	.63	3.63	.74	3.60	.89	1.102	.374

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Table 4-18 (Continued)

The opinion of the competent authorities of the Workmen's Compensation Fund	Any of different workplaces: The Bangkok Regional Social Security Office														F	P
	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		Area 7			
	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
8. The process of administrative system in payment of compensation has efficiently internal and external coordination.	2.88	.99	3.15	.90	2.63	1.19	2.55	1.13	2.83	.75	3.00	.93	3.40	.89	.709	.644
9. The process of performance of administrative system in payment of compensation has been followed-up and evaluated in order to improve and solve problems arisen in each step systematically.	3.00	.76	2.69	1.03	2.88	.99	2.91	1.04	3.00	.89	2.75	1.04	3.60	.89	.585	.741

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Table 4-18 (Continued)

The opinion of the competent authorities of the Workmen's Compensation Fund	Any of different workplaces: The Bangkok Regional Social Security Office														F	P
	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		Area 7			
	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
10. The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness.	3.38	.52	2.62	1.04	2.75	.71	2.64	1.03	3.17	.98	3.50	.76	3.20	1.10	1.484	.202
Total	3.35	.72	2.98	.83	2.89	.34	3.10	.56	3.25	.62	3.30	.57	3.78	.69	1.347	.254

* Being of statistically significant difference at the .05 probability level

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The data illustrated in Table 4-18 indicated that the opinion of the competent authorities of the Workmen's Compensation Office working at the different Bangkok Regional Social Security Offices, as having different workplaces, towards the affairs concerning appealed cases were not statistically different except of the Item 5. That was "The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work" being of statistically significant difference at the .05 probability level. So that Scheffé's test was employed in comparisons involving each two means, and the results were illustrated in Table 4-19.

Table 4-19 Mean and the difference of the opinion of the competent authorities of the Workmen's Compensation Office working at any of the 7 Bangkok Regional Social Security Offices, as having different workplaces, towards Item 5. That was "The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work".

The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work	$\overline{X}$	The Bangkok Regional Social Security Office, Area						
		1	2	3	4	5	6	7
		3.38	3.00	2.25	2.55	3.00	3.13	4.00
The Bangkok Regional Social Security Office, Area 1	3.38	-	-	-	-	-	-	-
The Bangkok Regional Social Security Office, Area 2	3.00		-	-	-	-	-	-
The Bangkok Regional Social Security Office, Area 3	2.25			-	-	-	-	*
The Bangkok Regional Social Security Office, Area 4	2.55				-	-	-	-
The Bangkok Regional Social Security Office, Area 5	3.00					-	-	-
The Bangkok Regional Social Security Office, Area 6	3.13						-	-
The Bangkok Regional Social Security Office, Area 7	4.00							-

* Being of statistically significant difference at the .05 probability level (P < .05)

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The data illustrated in Table 4-19 indicated that the opinions of the competent authorities of the Workmen's Compensation Office working at the different Bangkok Regional Social Security Offices, as having different workplaces, towards Item 5 were being of statistically significant difference at the .05 probability level. Such data indicated that the mean of that opinion of the competent authorities working at the Bangkok Regional Social Security Office, Area 3 was of the less level ($\overline{X}$ = 2.25). And it was lower than that of the competent authorities working at the Bangkok Regional Social Security Office, Area 7 to which it was of the more level ($\overline{X}$ = 4.00).

4.7.2 Hypothesis II

The opinions of the competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices and of the appellants in Bangkok were not different towards the following aspects. The registration of the cases informed because of encountering any of dangers/ ailments/occupational diseases; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases. In comparisons to test this hypothesis, t-test of two-tailed test at the .025 probability level was employed. Their results were illustrated in Table 4-20, Table 4-21, Table 4-22, and Table 4-23 respectively.

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Table 4-20 Comparison of means and standard deviations of the opinion level of the competent authorities of the Workmen's Compensation Fund working at the Bangkok Regional Social Security Offices towards the affairs concerning registration of the cases informed as encountering any of dangers/ailments/ occupational diseases with that of the appellants

The opinion towards the affairs concerning registration of the cases informed because of encountering any of dangers/ailments/occupational diseases	Competent Authorities		The Appellants		t	P
	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
1. The process provided and being used for the registration of the cases informed as encountering any of dangers/ailments/occupational diseases is performed easily by the competent authorities / the requesters.	3.15	1.05	3.60	.92	-2.278	.025*
2. The process provided for the registration of such cases protects the interests of all requesters to a good level.	3.47	.94	3.64	.82	-.946	.347
3. The process provided for the registration of such cases is of readiness in helping any of employees or his/her rightful owner(s) in submitting request for the compensation of all kinds.	3.64	.92	3.43	.65	1.426	.157
4. The duration prescribed that it shall inform any Bangkok Regional Social Security Office within 15 days after encountering danger of any employee is an ample period of time.	3.31	1.16	3.40	1.10	-.447	.656
5. Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days.	3.58	1.07	4.09	.93	-2.577	.011*

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Table 4-20 (Continued)

The opinion towards the affairs concerning registration of the cases informed because of encountering any of dangers/ailments/occupational diseases	Competent Authorities		The Appellants		t	P
	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
6. All of the competent authorities working as the registrar are well educated and experienced in carrying duty on the registration of all cases and providing good services.	3.56	.82	3.45	.85	.691	.491
7. The competent authorities working as the registrar carry a straightforward account of the affairs on the registration of all cases by employing solely standardized process provided.	3.83	.93	3.62	.80	1.250	.214
8. Where certain error(s) being occurred at the step of registration of the case, the competent authorities assist all of requesters impartially.	4.07	.85	3.55	.77	3.223	.002*
9. The occurrence of error(s) at the step of registration is one of the causes leading to appeal.	2.56	1.25	2.89	1.07	-1.458	.148

* Being of statistically significant difference at the .025 probability level (two-tailed test)

The data illustrated in Table 4-20 indicated that the opinions of the competent authorities of the Workmen's Compensation Office working at the different Bangkok Regional Social Security Offices and of the appellants were of statistically significant difference at the .025 probability level only in the following three items. Item 1: The process provided and being used for the registration of the cases informed as encountering any of dangers/ailments/occupational diseases is performed easily by the competent authorities/the requesters. Item 5: Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days. And Item 8: Where certain error(s) being occurred at the step of registration of the case, the competent authorities assist all of requesters impartially. But the rest were not of statistically significant difference at the .025 probability level.

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Table 4-21 Comparison of means and standard deviations of the opinion level of the competent authorities of the Workmen's Compensation Fund working at the Bangkok Regional Social Security Offices towards the affairs concerning verification of the facts concerned with that of the appellants

The opinion towards the affairs concerning verification of the facts concerned	Competent Authorities		The Appellants		t	P
	$\bar{X}$	S.D.	$\bar{X}$	S.D.		
1. Verification of the facts is an important step of the process in payment of compensation so that it needs to be performed by well-educated, skilled, and experienced competent authorities.	4.22	.89	4.21	.62	.051	.959
2. The competent authorities performing verification of the facts at each of Bangkok Regional Social Security Offices are different in their knowledge, skill and experience.	3.71	.83	3.77	.79	-.341	.734
3. Each competent authority draws or collects the facts concerned through different means.	3.54	.97	3.74	.77	-1.168	.245
4. No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence(s).	3.64	1.09	3.11	1.24	2.370	.020*
5. In performing verification of the facts, impartial records are made.	4.27	.64	3.94	.87	2.208	.030
6. In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly.	4.39	.70	3.64	.85	5.024	.000*
7. Informing any case of encountering danger vaguely leads the verification of the facts into difficulties.	4.12	.93	4.02	.85	.557	.579

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Table 4-21 (Continued)

The opinion towards the affairs concerning verification of the facts concerned	Competent Authorities		The Appellants		t	P
	$\bar{X}$	S.D.	$\bar{X}$	S.D.		
8. The process of being used for the verification of the facts is convenient to the requesters.	3.37	.87	3.36	1.09	.059	.953
9. In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned.	4.24	.82	2.09	1.02	12.081	.000*

* Being of statistically significant difference at the .025 probability level (two-tailed test)

The data illustrated in Table 4-21 indicated that the opinions of the competent authorities and of the appellants towards the affairs concerning verification of the facts concerned were of statistically significant difference at the .025 probability level only in the following three items. Item 4: No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence(s). Item 6: In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly. And Item 9: In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned. But the rest were not of statistically significant difference at the .025 probability level.

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Table 4-22 Comparison of means and standard deviations of the opinion level of the competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices towards the affairs concerning consideration, decision, and prescription making in payment of compensation with that of the appellants

The opinion towards the affairs concerning consideration, decision, and prescription making in payment of compensation	Competent Authorities		The Appellants		t	P
	$\bar{X}$	S.D.	$\bar{X}$	S.D.		
1. Most steps of the process provided for the verification and prescription making in payment of compensation require medical evidence(s) but the competent authorities taking responsibility at the beginning steps are not the personnel of medical profession.	3.95	.95	3.66	.92	1.580	.117
2. The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness.	4.34	.76	3.98	.87	2.275	.025*
3. In the case that some documents of medical evidence are uncompleted or non-delivered, the Medical Committee can give no recommendations, so that the competent authorities have to refuse to make the payment of compensation of such case.	3.44	1.13	3.83	.79	-2.079	.040
4. Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation.	3.02	1.09	3.57	.95	-2.767	.007*

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Table 4-22 (Continued)

The opinion towards the affairs concerning consideration, decision, and prescription making in payment of compensation	Competent Authorities		The Appellants		t	P
	$\overline{X}$	S.D.	$\overline{X}$	S.D.		
5. Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities.	3.47	1.04	2.64	1.36	3.485	.001*
6. Reasoning as the patient's secret, some hospitals or physicians refuse to deliver medical evidence to the competent authorities; this leads decision and prescription making of the payment of compensation under restraint.	3.02	1.20	2.91	1.36	.410	.683
7. Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion.	2.71	.89	3.51	.93	-4.497	.000*
8. The provided frame of procedures for conducting diagnosis of some occupational diseases is not clear.	3.58	1.04	3.45	.85	.689	.492
9. Most of decision and prescription in payment of compensation do justice to the requester.	3.81	.96	3.21	.95	3.218	.002*

* Being of statistically significant difference at the .025 probability level (two-tailed test)

The data illustrated in Table 4-22 indicated that the opinions of the competent authorities and of the appellants towards the affairs concerning consideration, decision, and prescription making in payment of compensation were of statistically significant

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difference at the .025 probability level only in the following five items. Item 2: The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness. Item 4: Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation. Item 5: Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities. Item 7: Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion. And Item 9: Most of decision and prescription making in payment of compensation do justice to the requester. The rest were not of statistically significant difference at the .025 probability level.

Table 4-23 Comparison of means and standard deviations of the opinion level of the competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices towards the affairs concerning appealed cases with that of the appellants

The opinion towards the affairs concerning appealed cases	Competent Authorities		The Appellants		t	P
	$\bar{X}$	S.D.	$\bar{X}$	S.D.		
1. Provided that any appeal shall be submitted to the Workmen's Compensation Fund Committee first and then to the Industrial Tribunal is the appropriate system.	3.81	1.01	4.11	.79	-1.680	.096
2. Provided that the submission of any appeal to the Workmen's Compensation Fund Committee shall be made within 30 days, such duration is the ample period of time.	4.02	.94	3.72	1.06	1.513	.133

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Table 4-23 (Continued)

The opinion towards the affairs concerning appealed cases	Competent Authorities		The Appellants		t	P
	$\bar{X}$	S.D.	$\bar{X}$	S.D.		
3. Provided that the submission of any appeal to the Industrial Tribunal shall be made within 30 days, such duration is the appropriate period of time.	4.05	.99	3.83	1.05	1.112	.269
4. As having no time frame for the completion of decision of appeal, such time frame should be legally provided.	4.00	.89	4.51	.95	-2.843	.005*
5. Decisions and directives indicating requesters whoever possessing right or having no right to receive compensation are, in all cases, of righteousness and fairness.	3.61	.85	2.81	1.01	4.425	.000*
6. Most of appeal cases are caused by any dissatisfaction of employees or employers with the decisions and directives issued by the competent authorities of the Workmen's Compensation Office.	3.93	.98	3.72	1.10	1.033	.304
7. Some appeal cases are caused by any of erroneous and unjust decisions and directives.	2.51	.94	3.70	.98	-6.402	.000*
8. Medical Committee, including Medical Subcommittee appointed by the Medical Committee, is able to assist the decision of appeal to be of righteousness, circumspectness, punctualness to the issue, and fairness.	3.80	.80	4.15	.86	-2.173	.032
9. Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries.	3.12	1.13	2.09	1.18	4.592	.000*

* Being of statistically significant difference at the .025 probability level (two-tailed test)

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The data illustrated in Table 4-23 indicated that the opinions of the competent authorities and of the appellants towards the affairs concerning appealed cases were of statistically significant difference at the .025 probability level only in the following four items. Item 4: As having no time frame for the completion of decision of appeal, such time frame should be legally provided. Item 5: Decisions and directives indicating requesters whoever possessing right or having no right to receive compensation are, in all cases, of righteousness and fairness. Item 7: Some appeal cases are caused by any of erroneous and unjust decisions and directives. And Item 9: Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries. The rest were not of statistically significant difference at the .025 probability level.

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CHAPTER 5
DISCUSSIONS

5.1 Discussions on the Research Design

The specific objectives of a study on the opinions of the competent authorities concerned and of the appellants towards the process of administrative system in payment of compensation to appealed cases were threefold as the following. (1) To study on the opinions of the competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices in Bangkok towards the process of administrative system in payment of compensation concerning the following aspects. The registration of the cases informed because of encountering any of dangers/ailments/occupational diseases; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases. (2) To study on the opinions of the appellants in Bangkok towards the following aspects. The registration of the cases informed because of encountering any of dangers/ailments/ occupational diseases; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases. (3) To compare the opinions of the competent authorities to those of the appellants towards the process of administrative system in payment of compensation being concerned the following aspects. The registration of the cases informed because of encountering any of dangers/ailments/occupational diseases, Verification of the facts concerned, consideration, decision, and prescription making in payment of compensation, and the affairs concerning appeal cases.

There were two hypotheses as the following. Hypothesis I: The competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices having different duration of work, and working at any different Bangkok Regional Social Security Offices shall have no different opinion towards the process of administrative system in payment of compensation. And Hypothesis II:

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The opinion of the competent authorities of the Workmen's Compensation Fund working at the 7 Bangkok Regional Social Security Offices and of the appellants in Bangkok were not different towards the following aspects. The registration of the cases informed because of encountering any of dangers/ailments/ occupational diseases; verification of the facts concerned; consideration, decision, and prescription making in payment of compensation; and the affairs concerning appeal cases.

Two groups of population were used as target population in this study. Firstly, the competent authorities of the Workmen's Compensation Office working at the 7 Bangkok Regional Social Security Offices numbered 63 in total but only 59 or 93.6% of them could be found and used because the rest were on leave of absence, and transferred to the other offices. And secondly, the appellants numbered 51 in total but only 47 or 92.2% of them could be found and used because the rest had migrated to the other domiciles or residences and were really unable to be found.

The instrument used in this study was questionnaire. It was separated into 2 sets: One for asking the competent authorities of the Workmen's Compensation Fund working at the Bangkok Regional Social Security Offices; and the another for asking the appellants. The reliability of the questionnaire for asking competent authorities was 0.90 and that for asking appellants was 0.95.

In analyzing data, SPSS (Statistical Package for the Social Sciences) was used to find out percentage, mean, and standard deviation. In conducting comparison between two means, the t-test was used. And in conducting comparison among three or more means, F-test was used; and then if any statistically significant difference had been found, then Scheffé's Post Hoc Comparison was used.

The writer had designed this study as a descriptive research. It was complete in all steps and each step was of the least error. Clear-cut objectives of the research, both in general and specific, were set up. In this study the population were used as a subject so that no sampling errors could be occurred. The values of reliability of the questionnaire used as instrument in this study particularly for asking competent authorities and appellants were highly confident as 0.90 and 0.95

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respectively so that such questionnaire was of the most suitable to be used in collection of data in this study. The analysis of data that was conducted completely by means of using SPSS computerized program had no missing cases. The statistical procedures used in this study had a capacity for testing all hypotheses concerned. So there were no errors not only in statistical procedures selected but also in the findings as their results.

5.2 Discussions on the Research Findings

The contents of the findings that should be discussed were as the following.

1. The value of mean of the opinions towards the process of administrative system in payment of compensation given by the competent authorities was of the moderate level. The writer had opined that such value of mean indicated that the process of the administrative system in payment of compensation was much improvable. This conformed to Feldman (cited in Sattaya Krasaechol, 2538) stated that the survey of opinion is the study on the appreciation of any person or group of persons towards a certain thing or things by showing out belief and appreciation by means of speaking and writing. Surveying opinion is important to policy-making and the change of policy including the change of working system and the work apprenticeship as it helps all performances have been proceeded orderly and with gratification of the work performers and their colleagues. And it also conformed to Chalermchart Sitanonda (2537) to which he stated that number and percentage of any answer to a certain question of interview-form being asked for an opinion were the reflection of characteristics of such opinion itself. It was the thing that any of administrators could be put under his/her consideration whether affairs concerning such question should be continued or not.

2. The result of a comparison on the opinions of the competent authorities working for a duration of 6 – 10 years and 11 – 15 years towards the process of administrative system in payment of compensation particularly of the following item was of statistically significant difference at the .05 probability level. “The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness”. As the mean of the group having 6 – 10 years of work was of the moderate level ($\overline{X}$ = 2.63), and the mean of the group having 11 – 15 years of work was of the most level ($\overline{X}$ = 4.50), it indicated the statistically different opines between

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the two groups. The first group opined as the appropriateness, efficiency and fairness of the process of administrative system in payment of compensation had been much improvable. But the second group opined as they had been of the most level. So that to improve appropriateness, efficiency and fairness of the process of administrative system in payment of compensation particularly of this item should begin with hearing the opinions of the first group and appointing it a leading group. And at the same time, it should give the second group the explanations enabling the member of this group would agree on the points of such improvement, and to understand that what cooperation they should give out.

3. The result of a comparison on the opinions of the competent authorities working at any of different 7 Areas of the Bangkok Regional Social Security Offices towards the process of administrative system in payment of compensation of the following item was of statistically significant difference at the .05 probability level. "The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work". The mean of opinions of the competent authorities working at the Area 3 was of the less level ($\overline{X}$ = 2.25) which was lower than that of the competent authorities working at the Area 7 to which it was of the more level ($\overline{X}$ = 4.00). This indicated that certain faults might be occurred to the process of administrative system in payment of compensation being employed at the Bangkok Regional Social Security Office, Area 3. Particularly, it might consist of any faults concerning administrative organization, personnel administration, and direction including inadequate numbers of well-educated and capable personnel. This conformed to the matter to which Thonglor Dejthai (2540) stated that administration is a system consisted of the following 3 items: 1.) Input. It is all of the items provided in advance for using in execution of the affairs under responsibility. It comprises men, money, material, and managerial procedures; 2.) Process. It is all of the steps concerning managerial procedures provided for running the affairs under responsibility to be accomplished successfully. It consists of planning, administrative organization, personnel administration, direction, coordination, reporting, and budgeting. And 3.) Output. It is all of the products or services resulted by work performance. And it also includes all problems and restraints occurred in the execution of such affairs to which they can be used as the

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feedback for improving managerial procedures of administrative resource as well as for improving the steps of managerial procedures of such affairs themselves in the future.

4. The results of comparison on the opinions of the competent authorities of the Workmen's Compensation Fund working at any of the 7 Bangkok Regional Social Security Offices towards the process of administrative system in payment of compensation and that of the appellants were as the following.

4.1 The opinions of the competent authorities and the appellants towards the affairs concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases were of statistically significant difference at the .025 probability level in the following three items.

(1) Item 1.: The process provided and being used for the registration of the cases informed as encountering any of dangers/ailments/occupational diseases is performed easily by the competent authorities/the requesters. The mean of opinions of the competent authorities was of the moderate level ($\overline{X}$ = 3.15) which was lower than that of the appellants to which it was of the more level ($\overline{X}$ = 3.60). This might be probable that because the competent authorities had faced such problem in more numbers than the appellants as it could say that as anytime the appellants coming for registration of the cases, the competent authorities had to check and recheck all data and information concerned. This conformed to the findings of Somkiat Chayasiwongse (2544) to which he revealed that the documents required were not found out had been the main problem being existed in the steps of registration of the cases informed.

(2) Item 5.: Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days. The mean of opinions of the competent authorities was of the more level ($\overline{X}$ = 3.58) which was lower than that of the appellants to which it also was of the more level ($\overline{X}$ = 4.09). This might be the competent authorities had thought that too long duration permitted for submission of documentary evidences could lead difficulty to the following-up of the cases, to the finding the requesters, and to the seeking of eyewitnesses to some extent. This conformed to the findings of Somkiat Chayasiwongse (2544) to which he revealed that the problems arisen in the steps of registration of the cases informed were probably due to the following two causes.

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Firstly, the requesters submitted the cases late because all of them thought that they had ample time remained. And secondly, there were any differences between the signatures given by any authorized endorsers and the ones to which they gave in advanced.

(3) Item 8.: Where certain error(s) being occurred at the step of registration of the case, the competent authorities had given all requesters the assistance impartially. The mean of opinions of the appellants was of the more level ($\overline{X}$ = 3.55) which was lower than that of the competent authorities to which it also was of the more level ($\overline{X}$ = 4.07). This could be the case because the appellants had ever been given impartial assistance.

4.2 The opinions of the competent authorities and of the appellants towards the affairs concerning verification of the facts were of statistically significant difference at the .025 probability level in the following three items.

(1) Item 4.: No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence(s). The mean of opinions of the appellants was of the moderate level ($\overline{X}$ = 3.11) which was lower than that of the competent authorities to which it was of the more level ($\overline{X}$ = 3.64). This might be probable that because the competent authorities had to consider all of them case by case officially, and attachment the cases informed to uncompleted documentary evidence(s). And sometimes, there were the cases attached to the completed documentary evidence(s) but being in the next priority so that they had to wait for a certain period of time and made them consider as it was too late.

(2) Item 6.: In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly. The mean of opinions of the appellants was of the more level ($\overline{X}$ = 3.64) which was lower than that of the competent authorities to which it was also of the more level ($\overline{X}$ = 4.39). This might be probable that because each of competent authorities had not only his different methods in collecting facts but also different experience and skill in verifying facts. This conformed to the findings of Somkiat Chayasiwongse (2544) to which he revealed that the problems about tardiness arisen in the steps of verification of the facts were probably due to the competent authorities had had different methods, experience, and skill in verifying facts concerned. In

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addition, encountering any of dangers or accident either outside employer's premises or not during the period of working hours or office hours was one of the problem causing tardiness in conducting verification of the facts.

(3) Item 9.: In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned. The mean of opinions of the appellants was of the less level ($\overline{X}$ = 2.09) which was lower than that of the competent authorities to which it was of the more level ($\overline{X}$ = 4.24). This might be probable that because either the employees and the employers had been detained by the pressure of their works and had to be in default resulted that the competent authorities had thought such employees or employers, as the case might be, gave them no cooperation.

4.3 The opinions of the competent authorities and the appellants towards the affairs concerning consideration, decision, and prescription making in payment of compensation were of statistically significant difference at the .025 probability level in the following five items.

(1) Item 2.: The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness. The mean of opinions of the appellants was of the more level ($\overline{X}$ = 3.98) which was lower than that of the competent authorities to which it was also of the more level ($\overline{X}$ = 4.34). This might be probable that because the competent authorities carrying such affairs were not the personnel of medical profession so that they had to submit those cases under consideration of the Medical Committee or the Medical Subcommittee. And then the tardiness had been arisen inevitably in payment of compensation. This conformed to the findings of Somkiat Chayasiwongse (2544) to which he revealed that the problems about tardiness arisen in the steps of consideration, decision, and prescription making in payment of compensation were probably due to the following matter. The competent authorities had to ask some requesters to send them additional medical records and other documentary evidences for checking relevant medical treatments given to their cases individually.

(2) Item 4: Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous

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conclusion and then unfair payment of compensation. The mean of opinions of the competent authorities was of the moderate level ($\overline{X}$ = 3.02) which was lower than that of the appellants to which it was of the more level ($\overline{X}$ = 3.57). This might be probable that because the decisions given were impacted directly on the appellants. It was conformed to the findings of Somkiat Chayasiwongse (2544) to which he revealed that physicians giving patients the treatments should be well-educated about the affairs of and being carried by the Workmen's Compensation Fund so that they could opine about the ailments of the employees righteously and appropriately.

(3) Item 5: Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities. The mean of opinions of the appellants was of the moderate level ($\overline{X}$ = 2.64) which was lower than that of the competent authorities to which it was of the moderate level ($\overline{X}$ = 3.47). This might be probable that because physicians and hospitals were necessary to keep all conducts in conformity with medical ethics about keeping patients' secrets.

(4) Item 7: Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion. The mean of opinions of the competent authorities was of the moderate level ($\overline{X}$ = 2.71) which was lower than that of the appellants to which it was of the more level ($\overline{X}$ = 3.51). It might be probable that because the appellants were faced more facts themselves than the competent authorities. This was conformed to the findings of Somkiat Chayasiwongse (2544) to which he stated that no training was held on using Physical and Psychological Disability Evaluation Handbook resulted in disagreement of medical conclusions.

(5) Item 9: Most of decision and prescription making in payment of compensation do justice to the requester. The mean of opinions of the appellants was of the moderate level ($\overline{X}$ = 3.21) which was lower than that of the competent authorities to which it was of the more level ($\overline{X}$ = 3.81). It might be probable that because the appellants had thought they were given inadequate justice and fairness.

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4.4 The opinions of the competent authorities and the appellants towards the affairs concerning appealed cases in payment of compensation were of statistically significant difference at the .025 probability level in the following four items.

(1) Item 4.: As having no time frame for the completion of decision of appeal, such time frame should be legally provided. The mean of opinions of the competent authorities was of the more level ($\overline{X}$ = 4.00) which was lower than that of the appellants to which it was of the most level ($\overline{X}$ = 4.51). Both competent authorities and appellants had agreed at the more and the most level respectively. This might be probable that because having no time frame for the completion as the termination of decision of appeal had come to a real problem in payment of compensation. So that such time frame should be legally provided.

(2) Item 5: Decisions and directives indicating requesters whoever possessing right or having no right to receive compensation are, in all cases, of righteousness and fairness. The mean of opinions of the appellants was of the moderate level ($\overline{X}$ = 2.81) which was lower than that of the competent authorities to which it was of the more level ($\overline{X}$ = 3.61). The difference in their opinions indicated that most of competent authorities had thought such decisions and directives given were, in all cases, of righteousness and fairness but the appellants had thought vice versa. This was conformed to the findings of Somkiat Chayasiwongse (2544) to which he stated that most of appeal cases were frequently made by the employers and employees being unsatisfied to the decisions mentioned as such cases were not caused by means of doing work in the course of employment. So the cases were appealed to make such decisions be changed.

(3) Item 7: Some appeal cases are caused by any of erroneous and unjust decisions and directives. The mean of opinions of the competent authorities was of the moderate level ($\overline{X}$ = 2.51) which was lower than that of the appellants to which it was of the more level ($\overline{X}$ = 3.70). This indicated that some of appellants had experienced as the injured persons because of the impact of either erred or unjust decisions and directives so the mean of their opinions was greater than that of the competent authorities.

(4) Item 9: Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries. The mean of

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opinions of the appellants was of the less level ($\overline{X}$ = 2.09) which was lower than that of the competent authorities to which it was of the moderate level ($\overline{X}$ = 3.12). It indicated that the appellants had thought some appealed cases should not caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries but by the consideration of the competent authorities themselves as they had misunderstood on certain issues or items leading them laboring under such mistake.

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CHAPTER 6
CONCLUSION AND RECOMMENDATIONS

6.1 Conclusion

The study on the opinions of the competent authorities concerned and of the appellants towards the process of administrative system in payment of compensation to appealed cases was conducted by using questionnaire. Its findings gained by evaluation on the opinions of the competent authorities of the Workmen's Compensation Fund and of the appellants in Bangkok could be concluded as the following.

1. The competent authorities of the Workmen's Compensation Fund working at the seven Bangkok Regional Social Security Offices had opined that the process of administrative system in payment of compensation to appealed cases was of the moderate level. They suggested that the tardiness of such process could be alleviated to a certain extent if their problem causing matters were improved as the following. The affairs concerning registration of employees should be well managed so that all of employees were registered. It should have a good measure so that the expense payable to any hospital or medical institute for the same medical treatment of each disease was standardized and controlled to the same level. All affairs should be able to provide all parties justice and fairness timely. F link among agencies concerned should be installed so that searching data and information required could be made easily and rapidly. Database management system (DBMS) to which it could provide a good retrieval of data and information should be employed. The precedence for deciding amount of compensation payable to particular case should be well set up to provide all employees, whether they led their cases to be appealed or not, the justice and fairness. The competent authorities should be well trained on every step of their affairs. All performances of competent authorities should be followed up and evaluated in order to improve all of their faults.

2. The opinions of the competent authorities having duration of work of 6 – 10 years and of 11 – 15 years towards the process of administrative system in payment of

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compensation being used is of appropriateness, efficiency and fairness were of statistically significant difference at the .05 probability level.

3. The opinions of the competent authorities working at the Area 3 and Area 7 towards the process of administrative system in payment of compensation consisting of adequate numbers of well-educated and capable personnel for accomplishing all steps of work were of statistically significant difference at the .05 probability level.

4. Most of the cases encountering any of dangers/ailments/occupational diseases being appealed by the appellants were against the decision that such case was not caused by means of doing work in the course of employment. And the next in rank, they appealed against the decision that the sum of compensation given to such case was not of appropriate amount. Most of the appellants, calculated as 55.3% of them, had their duration of work 1 – 5 years.

5. The opinions of the competent authorities and of the appellants towards the affairs concerning process of administrative system in payment of compensation were of statistically significant difference at the .025 probability level particularly in the following three items. Item 1.: The process provided and being used for the registration of the cases informed as encountering any of dangers/ ailments/occupational diseases is performed easily by the competent authorities/the requesters. Item 5.: Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days. And Item 8.: Where certain error(s) being occurred at the step of registration of the case, the competent authorities had given all requesters the assistance impartially.

6. The opinions of the competent authorities and of the appellants towards the affairs concerning verification of the facts were being of statistically significant difference at the .025 probability level particularly in the following three items. Item 4.: No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence(s). Item 6.: In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly. And Item 9.: In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned.

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7. The opinions of the competent authorities and of the appellants towards the affairs concerning consideration, decision, and prescription making in payment of compensation were of statistically significant difference at the .025 probability level particularly in the following five items. Item 2.: The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness. Item 4: Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation. Item 5: Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities. Item 7: Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion. And Item 9: Most of decision and prescription making in payment of compensation do justice to the requester.

8. The opinions of the competent authorities and of the appellants towards the affairs concerning appealed cases were of statistically significant difference at the .025 probability level particularly in the following four items. Item 4: As having no time frame for the completion of decision of appeal, such time frame should be legally provided. Item 5: Decisions and directives indicating requesters whoever possessing right or having no right to receive compensation are, in all cases, of righteousness and fairness. Item 7: Some appeal cases are caused by any of erroneous and unjust decisions and directives. And Item 9: Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries.

6.2 Recommendations

Recommendations were divided into the following two categories.

6.2.1 Recommendations for making application of research findings

To make application of the research findings of this study being of the most beneficial, the following recommendations were given.

1. The process of administrative system in payment of compensation should be overhauled as the following.

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1.1 The process of administrative system in payment of compensation should be overhauled by ways that it could respond to the extension of business and industrial sectors to which they had their branches both in Bangkok and other provinces.

1.2 Penalty measures should be strictly and rapidly enforced to the employers who had been disobeyed the laws concerned.

1.3 The communication system should be overhauled so that any of the agencies concerned, regardless of its location, could have fully associated signaling all time to which such agencies could access and check data and information concerning employees' status, medical records, and their rights of receiving medical treatment individually as needed.

1.4 Meetings should be held occasionally for gathering recommendations directly from the competent authorities as the real workers and putting them to good use for the betterment of working system development.

1.5 Quantitative and qualitative following up on work performance should be conducted systematically and regularly.

2. The employees encountered any of injuries/ailments/occupational diseases should be examined and treated by any physicians being specialized in occupational health.

3. After giving an employee any medical treatment or rehabilitation, a nurse being specialized in occupational health should be assigned to do a following up.

4. In the case that any employee had never known about his/her right of receiving medical treatment, i.e., whether reimbursement of expense for his/her medical treatment could be made from the Workmen's Compensation Fund or the Social Security Fund, such employee should be given medical treatment immediately. Then coordination should be made to know about such right.

5. Employee medical records should be used as the management tools for setting up relevantly preventive measures.

6. A measure for controlling expense payable for medical treatments of the same disease to be of the same standards should be set up.

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7. High potential computerized system should be employed to alleviate lack of personnel problem, decrease burden of searching documents, and enable faster link of data and information required.

8. A WCF.16 Form and WCF.44 Form filling manual should be edited and publicized widely. In this manual, documents, data, and information required as the attachments of the request should be mentioned completely and clearly.

9. The standardized physical and psychological disability evaluation methods should be used compulsorily by every hospital.

10. Every case of which an employee was injured or ailed because of working in the course of employment should be reported to the Workmen's Compensation Office whether such injury or ailment had made him/her had to take a leave of absence longer than three days or not. This would be beneficial to the affairs concerning development of safety and occupational health.

11. The number of Medical Committees for consideration making at the Provincial and Regional Social Security Offices should be increased to reduce working time for considering every appealed case to minimum.

12. Additional verification of the facts should be made in every case to which it was found that inadequacy of the facts concerned had occurred.

6.2.2 Recommendations for doing further researches

A study and evaluation on the process of administrative system in payment of compensation should be made in every five-year period.

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APPENDIX

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APPENDIX A

Questionnaire for Doing Research

Title: A Study on the Opinions of the Competent Authorities Concerned and of the Appellants towards the Process of Administrative System in Payment of Compensation: Appealed Cases

To: The Correspondents

This questionnaire is used as a means for conducting study on the opinions of the competent authorities concerned and of the appellants towards the process of administrative system in payment of compensation to the appealed cases. **It is used only for asking any of the competent authorities of the Workmen's Compensation Office working at any of Bangkok Regional Social Security Offices**. It is divided into 6 parts as the following.

Part 1: General information of the correspondents
Part 2: Data concerning process of administrative system in payment of compensation
Part 3: Data concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases
Part 4: Data concerning verification of the facts
Part 5: Data concerning consideration, decision, and prescription making in payment of compensation
Part 6: Data concerning affairs of appealed cases

Please kindly do me a favor by answering every item of this questionnaire with the most respect to its truthfulness. And if it seams desirable, **please fill in the space provided at the end of each item as your recommendation specially given to, and at the end of every part as your general recommendation**. All data will be evaluated in average terms, so that no ones will be referred as the source of such information. The researcher would like to express her deepest appreciation here for your kind cooperation in answering this questionnaire.

Best regards,

.....

(Mrs. Suwadee Wongbhuddha)
Master of Science Student
Mahidol University

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Part 1: General information of the correspondents
Direction Please put a ✓mark in the space ☐ located before the statement of which most conformable to yours, and fill in the space provided.

1. Sex ☐ 1. Male ☐ 2. Female
2. Age …….Years
3. Education level ☐ 1. Under Bachelor ☐ 2. Bachelor
   ☐ 3. Higher than Bachelor
4. Marital status ☐ 1. Single ☐ 2. Widowed
   ☐ 3. Divorced ☐ 4. Married
5. Having experience of working for any private company
   ☐ 1. Yes ☐ 2. No
6. The duration in years of working for the Workmen's Compensation Office, at any of the Bangkok Regional Social Security Offices, is……. .
7. What affair(s) had you ever responded to? (**One or more items may be marked.**)
   - ☐ 1. Registration of the cases informed
   - ☐ 2. Verification of the facts
   - ☐ 3. Consideration, decision, and prescription making in payment of compensation
   - ☐ 4. Appealed cases

For answering questions of Part 2 – Part 6

Direction: Please put a mark ✓in the space provided after each item of which most conformable to your opinion level. And if it seems desirable, please fill your recommendation in the space specially provided for each item, and also at the end of each part as your general recommendation.

Opinion level	Score
Most	5
More	4
Moderate	3
Less	2
Least	1

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Part 2: Data concerning process of administrative system in payment of compensation

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
1.	The process of administrative system in payment of compensation consists of clear-cut and practicable policies.						…… …… …… ……
2.	The process of administrative system in payment of compensation consists of effectively applicable objectives.						…… …… …… ……
3.	The process of administrative system in payment of compensation consists of clear-cut structures.						…… …… ……
4.	The process of administrative system in payment of compensation consists of well-educated, experienced, and responsible administrators.						…… …… …… …… ……
5.	The process of administrative system in payment of compensation consists of adequate numbers of well-educated and capable personnel for accomplishing all steps of work.						…… …… …… …… …… ……
6.	The process of administrative system in payment of compensation being used is a solely standardized process to which being employed throughout the country.						…… …… …… …… ……
7.	The process of administrative system in payment of compensation has a lump of sufficient budget needed for carrying out its affairs.						…… …… …… ……
8.	The process of administrative system in payment of compensation has efficiently internal and external coordination.						…… …… …… ……
9.	The performance of the process of administrative system in payment of compensation has been followed-up and evaluated in order to improve and solve problems arisen in each step systematically.						…… …… …… …… …… …… ……..

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Part 2: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
10.	The process of administrative system in payment of compensation being used is of appropriateness, efficiency and fairness.						…… …… …… ……

General recommendation for Part 2:
The process of administrative system in payment of compensation

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……
……
……
……
……

Part 3: Data concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
11.	The process provided and being used for the registration of the cases informed as encountering any of dangers/ailments/occupational diseases is performed easily by the competent authorities / the requesters.						…… …… …… …… …… …… ……
12.	The process provided for the registration of such cases protects the interests of all requesters to a good level.						…… …… …… ……
13.	The process provided for the registration of such cases is of readiness in helping any of employees or his/her rightful owner(s) in submitting request for the compensation of all kinds.						…… …… …… …… …… ……

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Part 3: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
14.	The duration prescribed that it shall inform any Bangkok Regional Social Security Office within 15 days after encountering danger of any employee is an ample period of time.						....
15.	Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days.						....
16.	All of the competent authorities working as the registrar are well educated and experienced in carrying duty on the registration of all cases and providing good services.						....
17.	The competent authorities working as the registrar carry a straightforward account of the affairs on the registration of all cases by employing solely standardized process provided.						....
18.	Where certain error(s) being occurred at the step of registration of the case, the competent authorities assist all of requesters impartially.						....
19.	The occurrence of error(s) at the step of registration is one of the causes leading to appeal.						....
20.	What is the level of your capability in performing registration?						....
21.	What is the level of each following error occurred at the step of registration? 21.1 Knowing nothing about the ways to inform the case						....

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Part 3: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
	21.2 Confusing about the documentary evidence(s)						…… ……
	21.3 Having any uncompleted documentary evidence(s)						…… ……
	21.4 Being lost of documentary evidence(s) at the step of registration						…… …… ……
	21.5 Informing the case at certain Bangkok Regional Social Security Office by mistake of locality						…… …… ……
	21.6 Informing the same case redundantly						…… ……

General recommendation for Part 3:
Carrying on registration of the cases informed as encountering any of dangers/ailments/occupational diseases

……
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……

Part 4: Data concerning verification of the facts

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
22.	Verification of the facts is an important step of the process in payment of compensation so that it needs to be performed by well-educated, skilled, and experienced competent authorities.						…… …… …… …… …… …… ……
23.	The competent authorities performing verification of the facts at each of Bangkok Regional Social Security Offices are different in their knowledge, skill and experience.						…… …… …… …… …… ……

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Part 4: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
24.	Each competent authority draws or collects the facts concerned through different means.						…… …… ……
25.	No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence (s).						…… …… …… …… ……
26.	In performing verification of the facts, impartial records are made.						…… …… ……
27.	In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly.						…… …… …… …… …… ……
28.	Informing any case of encountering danger vaguely leads the verification of the facts into difficulties.						…… …… …… ……
29.	The process being used for the verification of the facts is convenient to the requesters.						…… …… ……
30.	In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned.						…… …… …… …… ……
31.	What is the level of your total knowledge and competency in performing verification of the facts?						…… …… …… ……
32.	What is the degree to which the following steps of the verification process leading any case to be appealed? 32.1 Verification of the facts						…… …… …… …… ……
	32.2 Searching and collecting evidences concerned						…… ……

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Part 4: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
	32.3 Recording answers, deposition, and pleading						…… ……
	32.4 Weighing accountability of evidence(s) concerned						…… ……

General recommendation for Part 4:
Verification of the facts

……
……
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……
……
……

Part 5: Data concerning consideration, decision, and prescription making in payment of compensation

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
33.	Most steps of the process provided for the verification and prescription making in payment of compensation require medical evidence(s) but the competent authorities taking responsibility at the beginning steps are not the personnel of medical profession.						…… …… …… …… …… …… …… ……
34.	The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness.						…… …… …… …… …… ……

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Part 5: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
35.	In the case that some documents of medical evidence are uncompleted or non-delivered, the Medical Committee can give no recommendations, so that the competent authorities have to refuse to make the payment of compensation of such case.						....
36.	Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation.						....
37.	Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities.						....
38.	Reasoning as the patient's secret, some hospitals or physicians refuse to deliver medical evidence to the competent authorities; this leads decision and prescription making of the payment of compensation under restraint.						....
39.	Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion.						....

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Part 5: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
40.	The provided frame of procedures for conducting diagnosis of some occupational diseases is not clear.						…… …… …… ……
41.	Most of decision and prescription making in payment of compensation do justice to the requester.						…… …… …… ……
42.	What is the level of your total knowledge and competency in performing decision and prescription making in payment of compensation?						…… …… …… …… ……
43.	What is the degree to which each of the following steps of the decision and prescription making in payment of compensation leading any case to be appealed? 43.1 The decision at the beginning step conducted by the competent authorities						…… …… …… …… …… …… …… …… ……
	43.2 The diagnosis conducted by the physician as the patient's treatment giver						…… …… ……
	43.3 The consideration conducted by the Medical Committee or the Medical Subcommittee						…… …… …… ……
	43.4 Having no documentary evidence of the requester						…… ……
	43.5 Having no document of medical evidence or its equivalent issued by the hospital						…… …… …… ……

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Part 5: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
General recommendation for Part 5: Consideration, decision, and prescription making in payment of compensation …… ……..…… ……..…….. …… …….. …….. ……..

Part 6: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
49.	Most of appeal cases are caused by any dissatisfaction of employees or employers with the decisions and directives issued by the competent authorities of the Workmen's Compensation Office.						....
50.	Some appeal cases are caused by any of erroneous and unjust decisions and directives.						....
51.	Medical Committee, including Medical Subcommittee appointed by the Medical Committee, is able to assist the decision of appeal to be of righteousness, circumspectness, punctualness to the issue, and fairness.						....
52.	Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries.						....
53.	What is the level of your total knowledge and competency in performing appeal cases?						....
54.	What is the degree to which each of the following decisions or directives able to lead your case to be appealed? 54.1 Encountering such danger (s)/ occupational disease (s) was not caused by means of doing work in the course of employment						....
	54.2 Because the expense for medical treatment was over 35,000 baht, the appeal had to be made for upgrading such reimbursement to the level of 85,000 baht						....

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Part 6: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
	54.3 The compensation for disability						…… ……
	54.4 The inconsistency of beneficial interests						…… ……
	54.5 The expense for medical treatment demanded by the hospital to which under contract made to the Workmen's Compensation Office						…… …… …… …… …… ……
	54.6 Requesting for a change of decision(s)						…… ……

General recommendation for Part 6:
Affairs of appealed cases

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APPENDIX B

Questionnaire for Doing Research

Title: A Study on the Opinions of the Competent Authorities Concerned and of the Appellants towards the Process of Administrative System in Payment of Compensation: Appealed Cases

To: The Correspondents

This questionnaire is used as a means for conducting study on the opinions of the competent authorities concerned and of the appellants towards the process of administrative system in payment of compensation to the appealed cases. **It is used only for asking appellants**. And it is divided into 5 parts as the following.

Part 1: General information of the correspondents
Part 2: Data concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases
Part 3: Data concerning verification of the facts
Part 4 Data concerning consideration, decision, and prescription making in payment of compensation
Part 5: Data concerning affairs of appealed cases

Please kindly do me a favor by answering every item of this questionnaire with the most respect to its truthfulness. **And please recommend in the recommendation space given for each item and in the general recommendation given for each part as needed**. All data will be evaluated in average terms, so that no ones will be referred as the source of such information. The researcher would like to express her deepest appreciation here for your kind cooperation in answering this questionnaire.

Best regards,

.....

(Mrs. Suwadee Wongbuddha)
Master of Science Student
Mahidol University

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Part 1: General information of the correspondents
Direction: Please put a ✓mark in the space ☐ located before the statement of which most conformable to yours.

1. What was your category requested for the payment of compensation and what was the cause of your appeal?
    1. The category/matter of request
        - ☐ 1.1 Encountering danger(s) of …….
        - ☐ 1.2 Encountering ailment(s) of……..
        - ☐ 1.3 Encountering occupational disease(s) of ……
    2. The case of appeal...……..……..
    3. The cause of appeal……..
2. The duration the requester had worked in the course of employment as from the beginning of the work to the moment the requester being encountered any of dangers/ailments/occupational diseases was ……years.

For answering questions of Part 2 – Part 5

Direction: Please put a mark ✓in the space provided after each item of which most conformable to your opinion level. And if it seems desirable, please fill your recommendation in the space specially provided for each item, and also at the end of each part as your general recommendation.

Opinion level	Score
Most	5
More	4
Moderate	3
Less	2
Least	1

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Part 2: Data concerning registration of the cases informed as encountering any of dangers/ailments/occupational diseases

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
1.	The process provided and being used for the registration of the cases informed as encountering any of dangers/ailments/occupational diseases is performed easily by the competent authorities / the requesters.						.....
2.	The process provided for the registration of such cases protects the interests of all requesters to a good level.						.....
3.	The process provided for the registration of such cases is of readiness in helping any of employees or his/her rightful owner(s) in submitting request for the compensation of all kinds.						.....
4.	The duration prescribed that it shall inform any Bangkok Regional Social Security Office within 15 days after encountering danger of any employee is an ample period of time.						.....
5.	Each of employees or his/her rightful owner(s) is able to submit all of his/her documentary evidences along with the request for the compensation within a period of 180 days.						.....
6.	All of the competent authorities working as the registrar are well educated and experienced in carrying duty on the registration of all cases and providing good services.						.....
7.	The competent authorities working as the registrar carry a straightforward account of the affairs on the registration of all cases by employing solely standardized process provided.						.....

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Part 2: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
8.	Where certain error(s) being occurred at the step of registration of the case, the competent authorities assist all of requesters impartially.						…… …… …… ……
9.	The occurrence of error(s) at the step of registration is one of the causes leading to appeal.						…… …… ……
10.	What is the level of your knowledge about using registration services?						…… …… ……
11.	What was any of the following errors be occurred at the step of registration?	Error committed					…… …… ……
		Yes			No		…… ……
	11.1 Knowing nothing about the ways to inform the case						…… ……
	11.2 Confusing about the documentary evidence(s)						…… ……
	11.3 Having any uncompleted documentary evidence(s)						…… ……
	11.4 Being lost of documentary evidence(s) at the step of registration						…… …… ……
	11.5 Informing the case at certain Bangkok Regional Social Security Office by mistake of locality						…… …… ……
	11.6 Informing the same case redundantly						…… ……

General recommendation for Part 2:
Carrying on registration of the cases informed as encountering any of dangers/ailments/occupational diseases

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Part 3: Data concerning verification of the facts

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
12.	Verification of the facts is an important step of the process in payment of compensation so that it needs to be performed by well-educated, skilled, and experienced competent authorities.						.....
13.	The competent authorities performing verification of the facts at each of Bangkok Regional Social Security Offices are different in their knowledge, skill and experience.						.....
14.	Each competent authority draws or collects the facts concerned through different means.						.....
15.	No tardiness in performing verification of the facts is made after Form WCF.16 has been considered that it contains reasonable evidence(s).						.....
16	In performing verification of the facts, impartial records are made.						.....
17.	In performing verification of the facts, weighing accountability of evidence(s) concerned is made according to the regulations provided immaculately and justly.						.....
18	Informing any case of encountering danger vaguely leads the verification of the facts into difficulties.						.....
19.	The process being used for the verification of the facts is convenient to the requesters.						.....
20.	In many cases, no cooperation given by any of employers and employees is the cause of tardiness in verifying facts concerned.						.....

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Part 3: (Continued)

No.	Item	Opinion level					Recommendation
21.	What did each of the following steps of the verification of the facts lead your case to be appealed? ☐ 21.1 Verification of the facts						…… …… ……..…… ……..……
	☐ 21.2 Searching and collecting evidences concerned						…… ……..……
	☐ 21.3 Recording answers, deposition, and pleading						…… ……..……
	☐ 21.4 Weighing accountability of evidence(s) concerned						…… ……..……

General recommendation for Part 3:
Verification of the facts

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Part 4: Data concerning consideration, decision, and prescription making in payment of compensation

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
22.	Most steps of the process provided for the verification and prescription making in payment of compensation require medical evidence(s) but the competent authorities taking responsibility at the beginning steps are not the personnel of medical profession.						…… …… …… …… …… …… …… ……
23.	The step required that the cases shall be submitted under consideration of the Medical Committee or the Medical Subcommittee leads the payment of compensation into tardiness.						…… …… …… …… …… ……

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Part 4: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
24.	In the case that some documents of medical evidence are uncompleted or non-delivered, the Medical Committee can give no recommendations, so that the competent authorities have to refuse to make the payment of compensation of such case.						....
25.	Conducting diagnosis of some occupational diseases by certain physicians who are not the specialist of medical profession causes erroneous conclusion and then unfair payment of compensation.						....
26.	Lack of medical evidence required for attesting to the truth of the case and supporting decision becomes an event because either the patient as the requester or the hospital concerned does not respond to the request of competent authorities.						....
27.	Reasoning as the patient's secret, some hospitals or physicians refuse to deliver medical evidence to the competent authorities; this leads decision and prescription making of the payment of compensation under restraint.						....
28.	Sometimes, decision making to the payment of compensation in case of disability conducted by certain physicians without using Physical and Psychological Disability Evaluation Handbook leads to the disagreement of conclusion.						....
29.	The provided frame of procedures for conducting diagnosis of some occupational diseases is not clear.						....

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Part 4: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
30.	Most of decision and prescription making in payment of compensation do justice to the requester.						…… …… …… ……
31.	What did each of the following steps of the decision and prescription making in payment of compensation lead your case to be appealed? ☐ 31.1 The decision at the beginning step conducted by the competent authorities						…… …… …… …… ……
	☐ 31.2 The diagnosis conducted by the physician as the patient's treatment giver						…… ……
	☐ 31.3 The consideration conducted by the Medical Committee or the Medical Subcommittee						…… …… ……
	☐ 31.4 Having no documentary evidence of the requester						…… ……
	☐ 31.5 Having no document of medical evidence or its equivalent issued by the hospital						…… ……

General recommendation for Part 4:
Consideration, decision, and prescription making in payment of compensation

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Part 5: Data concerning affairs of appealed cases

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
32.	Provided that any appeal shall be submitted to the Workmen's Compensation Fund Committee first and then to the Industrial Tribunal is the appropriate system.						....
33.	Provided that the submission of any appeal to the Workmen's Compensation Fund Committee shall be made within 30 days, such duration is the ample period of time.						....
34.	Provided that the submission of any appeal to the Industrial Tribunal shall be made within 30 days, such duration is the appropriate period of time.						....
35.	As having no time frame for the completion of decision of appeal, such time frame should be legally provided.						....
36.	Decisions and directives indicating requesters whoever possessing right or having no right to receive compensation are, in all cases, of righteousness and fairness.						....
37.	Most of appeal cases are caused by any dissatisfaction of employees or employers with the decisions and directives issued by the competent authorities of the Workmen's Compensation Office.						....
38.	Some appeal cases are caused by any of erroneous and unjust decisions and directives.						....
39.	Medical Committee, including Medical Subcommittee appointed by the Medical Committee, is able to assist the decision of appeal to be of righteousness, circumspectness, punctualness to the issue, and fairness.						....

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Part 5: (Continued)

No.	Item	Opinion level					Recommendation
		5	4	3	2	1	
40.	Some of appeal cases are caused by hidden objectives of certain requesters with their conspirators as the mutual beneficiaries.						…… …… …… ……
41.	What did the following matter lead your case to be appealed?						……
	☐ 41.1 Encountering such danger(s)/occupational disease(s) was not caused by means of doing work in the course of employment						…… …… …… ……
	☐ 41.2 Because the expense for medical treatment was over 35,000 baht, the appeal had to be made for upgrading such reimbursement to the level of 85,000 baht						…… …… …… ……
	☐ 41.3 The compensation for disability						……
	☐ 41.4 The inconsistency of beneficial interests						……
	☐ 41.5 The expense for medical treatment demanded by the hospital to which under contract made to the Workmen's Compensation Office						…… …… …… ……
	☐ 41.6 Requesting for a change of decision(s)						……

General recommendation for Part 5:
Affairs of appealed cases

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BIOGRAPHY

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