



VIETNAM COUNTRY REPORT

Training **Workshop** on Improvement of Occupational safety and health for Young workers and New **Strategic** Perspective on OSH
18th June – 22nd June 2018

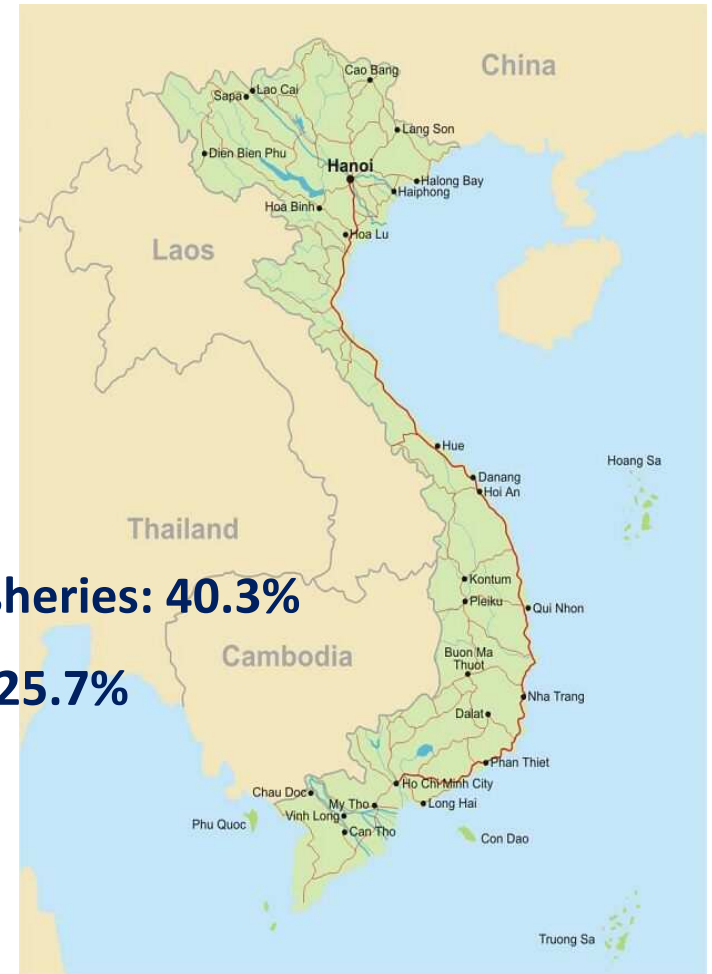


Nguyen Minh Tien



Background information

Area	310,060 km ²
Population (2017)	93.7 millions
GDP Growth (2017)	6.81%
GDP (2017)	>220 bil. US\$
GDP/capita	US\$ 2,385
Workforce	54.5 millions
Employment	Agriculture, forestry and fisheries: 40.3% Industry and construction: 25.7% Services: 34.0%
Enterprises	> 500.000



(Source: General Statistics Office of Vietnam 2017)

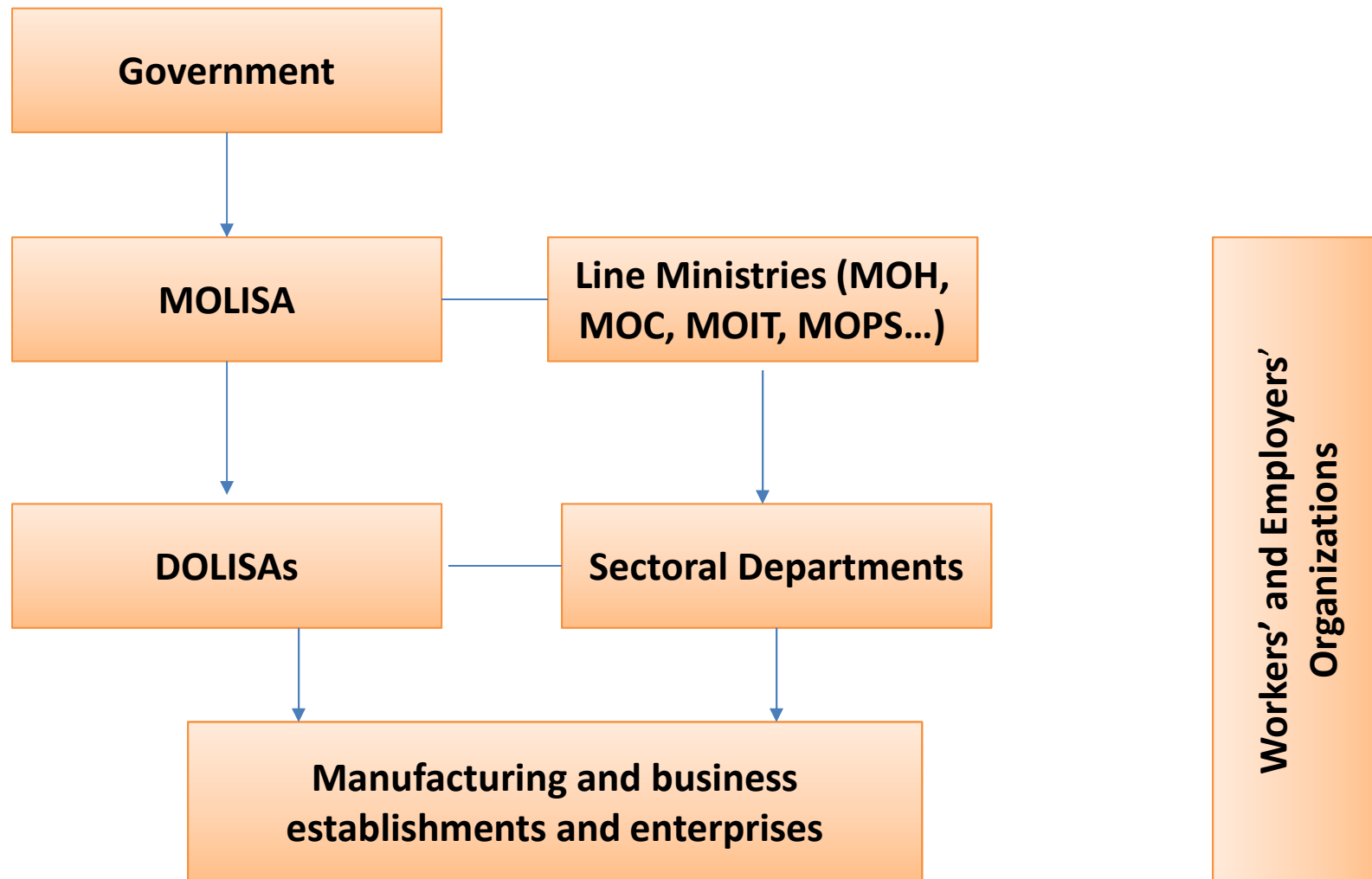
Young workers in Viet Nam

- Young workers (15-24 years old): 7.5 million - accounts for nearly 14% of the total labour force
- More than one million enter the labour market every year

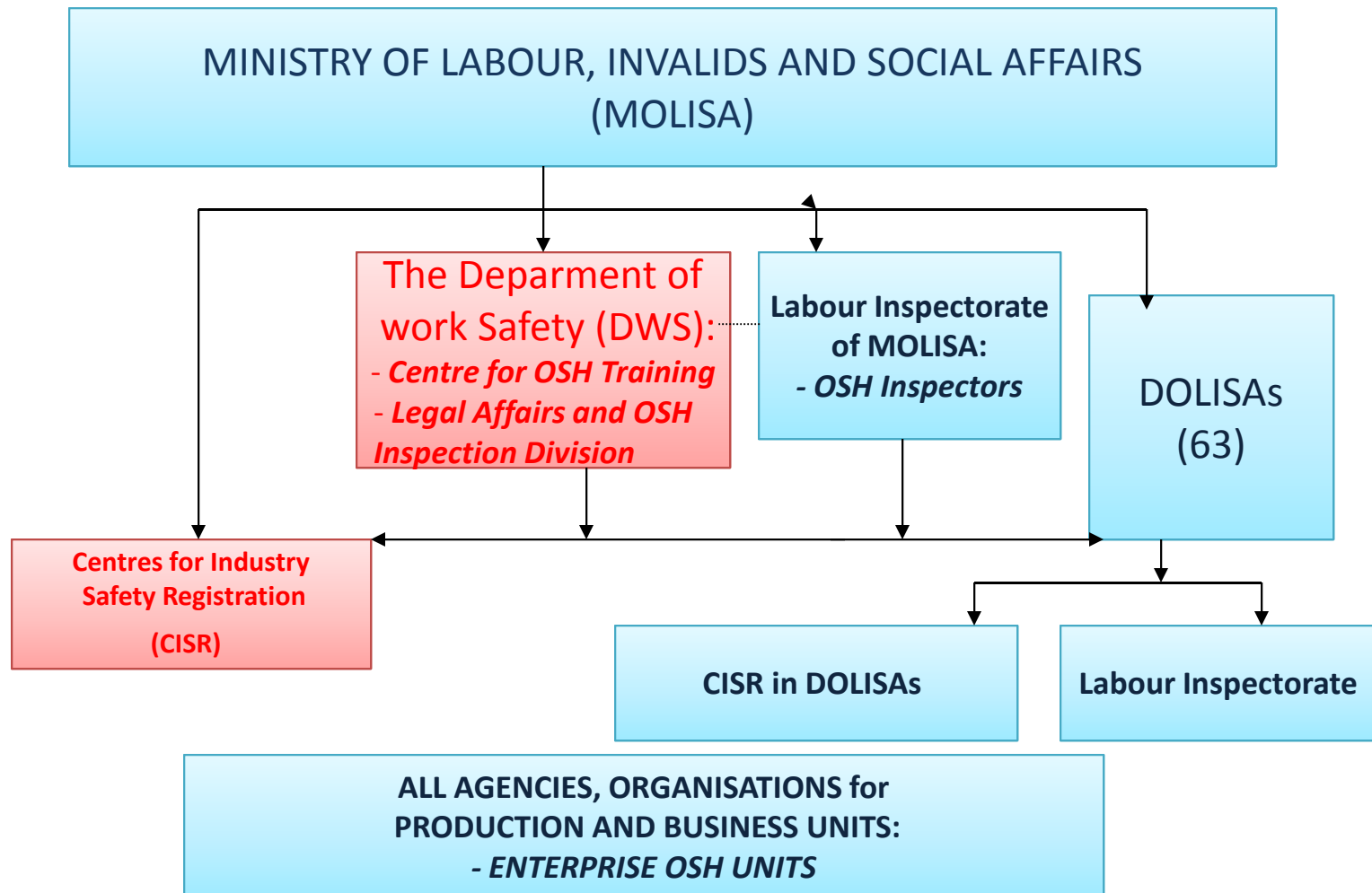


(Sources: General Statistics Office of Vietnam 2016 and UN, 2016)

State management system of OSH in Viet Nam



State administrative system of OSH in Vietnam: MOLISA



Occupational accidents in Viet Nam

- In 2017: 8,956 accidents occurred, causing 9,173 injured (2,727 female) and 928 died;
- No separate records on occupational accidents of young workers

Fatal Occupational Accidents

No	Description	Average 2006 - 2010	Average 2011- 2015	Increase/Decrease of 2 stages (%)
1	Number of people participating in social insurance (Millions of people)	8,34	10,988	+33,81 (equal to 7,62%/year)
a	Production and business sector	5,038	7,01	+39,18
2	Number of occupational accidents	5419	6467	+19,34
3	Number of deaths due to occupational accidents	625	643	+ 2,85% (+ 0,6%/year)
4	Number of occupational diseases	863	797	-7,63
5 (=2/1)	Frequency rate of Occupational accident (per 100.000 workers)	66	58,9	-10,81
6 (=3/1)	Frequency of fatal due to Occupational accident (per 100.000 workers)	7,615	5,8533	-23,14% (-5,12%/ year)
a	Production and business sector	12,41	9,17	-26,11 %
7 (=4/1)	The new incidence of occupational diseases (per 100.000 workers)	10,5	7,25	-30,97

(Source: Viet Nam Social Insurance)

Fatal frequency due to Occupational Accidents in the community

No	Description	2010	2011	2012	2013	2014	2011- 2014	Comparing to 2010
1	Number of death due to occupational accident in Viet Nam	2104	2.047	2.164	2088	2063	2.106	+ 0,07%
2	Over all workforces in Viet Nam (have a job on 1st/July every year) (Millions of people)	49,048	50,352	51,422	52,402	46,48	51,372	+ 4,78%
3	Number of fatal occupational accidents, per 100.000 workers	4,29	4,07	4,21	3,84	4.44	4,12	-3,74%

(Source: Department of Work Safety, MOLISA)

OSH Legislation in Viet Nam

- Chapter IX. Labour Code, 2012
- Law on Occupational Safety and Hygiene, 2015
- A series of implementing regulations under the Law including Decrees and Circulars guiding the implementation of the Law

Vietnamese Labour Code 2012

Article 150. Training in occupational safety and health

1. **Employers and occupational safety** and health officers shall **participate in training courses** and take examinations and tests on occupational safety and health conducted by occupational safety and health training service institutions, for which they will be granted certificates.
2. **An employer** shall **organize training in occupational safety and health for employees**, apprentices and on-the-job trainees upon recruitment and work arrangement; and provide guidance on occupational safety and health regulations for visitors to workplaces managed by the employer.
3. **An employee** who performs a job **subject to strict occupational safety and health requirements** shall **participate in a training course** and take a test on occupational safety and health in order to obtain a certificate.

Vietnamese Labor Code 2012

has **particular articles** to protect
young workers as follows:

Vietnamese Labour Code 2012

Article 161. Minor employees

A minor employee is an employee under 18 years of age.

Article 162. Employment of minors

1. **An employer** may only employ minors **in work suitable to their health so as to ensure their physical, spiritual and personality development**, and shall take care of minor employees regarding their work, wage, health and training in the course of their employment.

2. When employing minors, an **employer shall keep a separate register fully recorded with the name, date of birth, work assigned, results of periodical medical checks of each minor employee**, and shall present it at the request of a competent state agency.

Vietnamese Labour Code 2012

Article 163. Principles of employment of minors

1. Employment of minors is **prohibited** in **heavy, toxic and dangerous jobs** or in **workplaces or jobs** which may adversely **affect their personality**, as determined in the list issued by the Ministry of Labor, Invalids and Social Affairs in coordination with the Ministry of Health.

2. The **working time of minor employees** aged from full 15 years to under 18 years must **not exceed 8 hours per day** and **40 hours per week**.

The working time of employees aged **under 15 years** must **not exceed 4 hours per day** and **20 hours per week** and the employer may not employ these minors to work overtime or at night.

Vietnamese Labour Code

Article 163. Principles of employment of minors

3. Persons aged from full **15 to under 18 years may work overtime** and at night in some occupations and jobs stipulated by the Ministry of Labor, Invalids and Social Affairs.

4. An employer **may not employ minors to manufacture and trade in alcohol, wine, beer, cigarettes, stimulants** and other habit-forming substances.

5. An employer shall create opportunities for minor employees and employed persons aged under 15 years to receive general education.

Vietnamese Labour Code

Article 165. Prohibited jobs and workplaces for minor employees

1. Employment of minors is prohibited in the following jobs:

- a/ Carrying and lifting of heavy objects which are beyond a minor's physical strength;
- b/ Manufacture, use or transportation of chemicals, gas and explosives;
- c/ Maintenance of equipment and machines;
- d/ Demolition of construction works;
- e/ Melting, blowing, casting, rolling, molding and welding of metals;
- f/ Sea diving, offshore fishing;
- g/ Other jobs which are harmful to the health, safety or morality of minor employees.

Vietnamese Labour Code 2012

Article 165. Prohibited jobs and workplaces for minor employees

2. Employment of minors is prohibited in the following workplaces:

- a/ Underwater, underground, in cave and in tunnel;
- b/ Construction site;
- c/ Slaughter house;
- d/ Casino, bar, dance hall, karaoke parlor, hotel, hostel, sauna, massage room;
- e/ Other workplaces which are harmful to the health, safety or morality of minor employees.

Other regulations aims to protect young workers

6. Circular number 10/2013/TT-BLĐTBXH: This Circular Promulgate the **lists of jobs and workplaces** in which the employment of **minor persons is prohibited**.
7. Circular number 11/2013/TT-BLĐTBXH: This Circular promulgate together with **list of light works allowed using persons under 15 years old to work**
8. Circular number 13/2016/TT-BLĐTBXH: This Circular promulgate the **list of occupational bound by strict requirements** for OSH.
9. Circular number 15/2016/TT-BLĐTBXH: This Circular promulgate the **list of arduous, hazardous and dangerous occupations, and extremely arduous, hazardous and dangerous occupations**.

Law on Occupational Safety and Hygiene

- The Law was passed in June 2015, and took effects in July 2016;
- Focusing on prevention of occupational accidents and diseases, OSH related incidents;
- Applying to all workers, including contract and non-contract workers, apprentices, trainees, Vietnamese contracted guest workers and foreign employees in Vietnam (young workers inclusive). For the first time, OSH is extended to the informal economy.

Law implementing regulations

1. Decree number 37/2016/NĐ-CP: This Decree guides to **insurance** for occupational accidents and occupational diseases for employees who sign labour contracts with employers;

2.2. Decree number 39/2016/NĐ-CP: This Decree **guides to control of some dangerous and harmful factors at workplace; notification, investigation, statistics and report on occupational accidents and technical incidents causing OSH failure and technical incidents causing serious OSH failure; OHS for some specific labor; OSH for business and production establishment; state management over OSH.**

Law implementing regulations

3. Decree number 44/2016/NĐ-CP: This Decree guides to [technical inspection of occupational safety, training](#) of OSH and monitoring of occupational environment.
4. Circular number 07/2016/TT-BLĐTBXH: This Circular stipulates procedures for [risk assessment, self-inspection, reporting, and summary](#) of OSH by [producing and trading facilities](#).
5. Circular number 08/2016/TT-BLĐTBXH: This Circular provides guidelines for [collecting, archiving, summarizing, announcing and assessment of occupational accidents and technical issues](#) in serious violation of OSH

National program on OSH in Viet Nam

07 Specific Objectives for period of 2011-2015

Objective 1: *Reduce annually by 5% frequency rate of fatal occupational accidents in highly hazardous sectors of mining, construction, use of electricity, metal and chemical production.*

Objective 2: *Increase annually by 5% medical units providing periodical medical check-ups for workers, increase by 5% number of workers who are examined to detect occupational diseases, and increase by 3% number of units having work environment monitored and supervised.*

Objective 3: *Increase annually by an average of 2,000 small and medium sized-enterprises (SMEs) which apply effectively the OSH management system;*

National program on OSH in Viet Nam

07 Specific Objectives for period of 2011-2015

Objective 4: *Provide OSH training to an average of more than 40,000 people who are working in occupations, jobs with strict OSH requirements; to 10,000 people who are doing hard, hazardous or dangerous occupations and jobs and to 40,000 OSH officials in enterprises per year;*

Objective 5: *Disseminate appropriate OSH information to more than 1,000 craft villages, 5,000 cooperatives and 30,000 SMEs by 2015.*

Objective 6: *100% of workers certified with occupational accidents and diseases are provided with health care and rehabilitation in line with laws*

Objective 7: *100% of fatal occupational accidents are investigated and settled in compliance with laws*

National program on OSH in Viet Nam

09 Specific Objectives for period of 2016-2020

Objective 1: *Reduce the frequency of fatal occupational accidents by 5% averagely on annual basis*

Objective 2: *Examine over 50% of workers susceptible to common occupational diseases at work and detect such occupational diseases; monitor the working environment in over 70% of major enterprises and 30% of small and medium enterprises at high risk of occupational diseases.*

Objective 3: *Increase the number of small and medium enterprises applying successful certain fundamentals of the system for management of occupational safety and health and initiating an occupational safety culture by 2000 on annual basis.*

Objective 4: *Provide further training in occupational safety and health to over 90% of managerial individuals who administer and steer activities regarding occupational safety and health in districts and in management boards, economic zones, industrial parks, export processing zones and hi-tech parks.*

National program on OSH in Viet Nam

09 Specific Objectives for period of 2016-2020

Objective 5: *Provide training in occupational safety and health to over 80% of workers performing tasks bound by strict requirements for occupational safety and health, to 80% of individuals in charge occupational safety and health and health and to 90% of health and safety guides in enterprises*

Objective 6: *Provide refresher training in first aid and emergency care to over 80% of individuals in charge of workplace first aid and emergency care*

Objective 7: *Provide proper information on occupational safety and health to over 80% of craft villages and 70% of cooperatives at high risk of occupational accidents and diseases*

Objective 8: *Provide treatment and vocational rehabilitation to 100% of workers, whose occupational accidents or diseases have been verified, as per the law*

Objective 9: *Report, investigate and settle 100% of fatal occupational accidents as per the law.*

Challenges and Next steps

Challenges:

1. Knowledge and awareness of youth OSH vulnerability are still limited;
2. Few particular regulations and mechanisms to protect young workers.

Challenges and Next steps

Next steps:

1. Increase awareness of the importance of OSH for management agencies, workers' and employers' organizations, and the public
2. Consider revising current regulations and policies to include young workers.
3. Focus on young workers when delivery of training, inspection, other work related to OSH.

Thank you!