

“IMPROVEMENT OF POLICY ON OCCUPATIONAL SAFETY AND HEALTH From Policy Development to Implementation Measures”

COUNTRY REPORT



Name: Dinh Xuan Ngon

Country: Vietnam

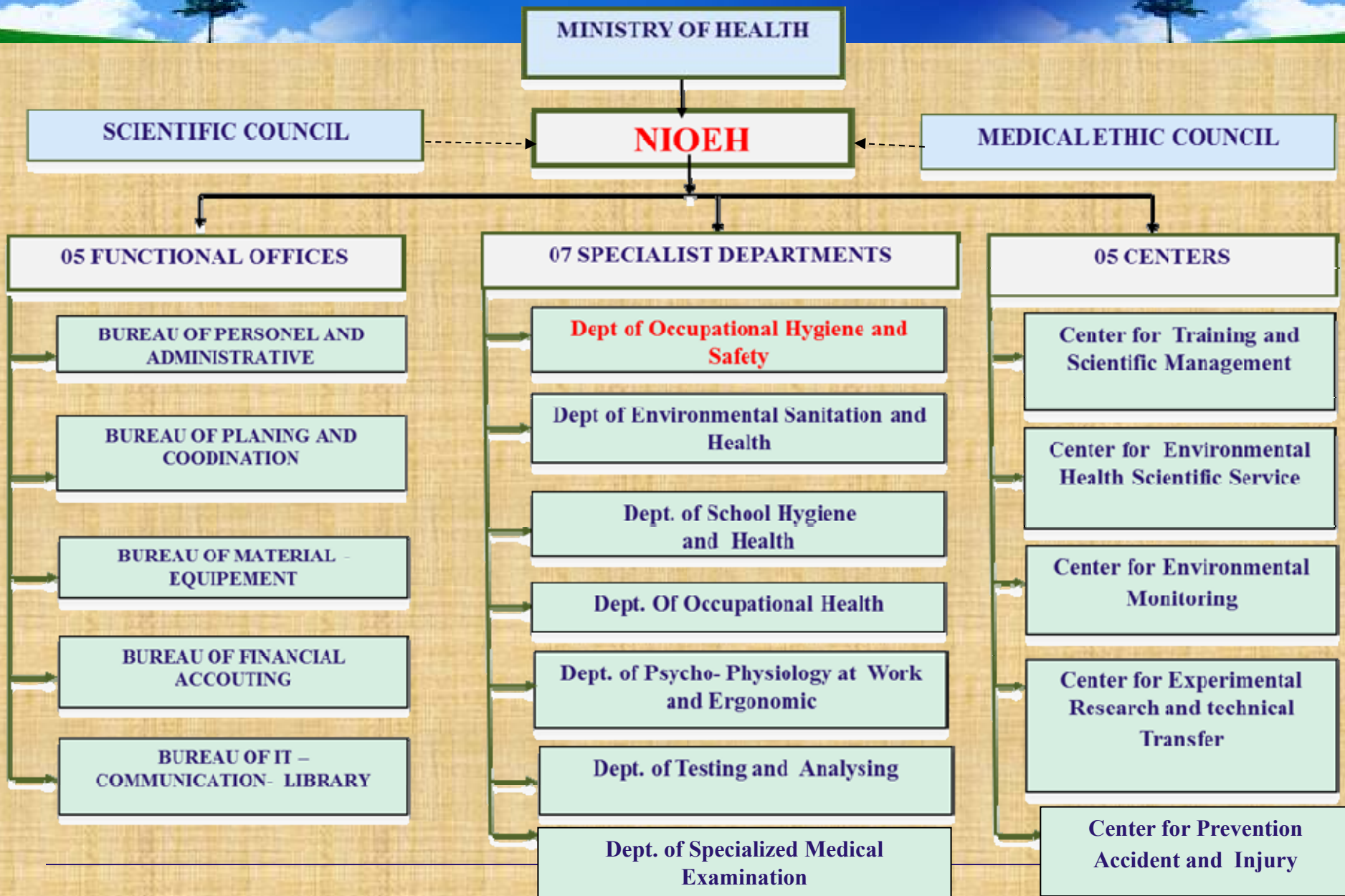
Organization/Department:

National Institute of Occupational & Environmental Health (NIOEH)

Occupational Hygiene and Safety Department

Work experience in OSH: 16 years

Organization Chart



Background information

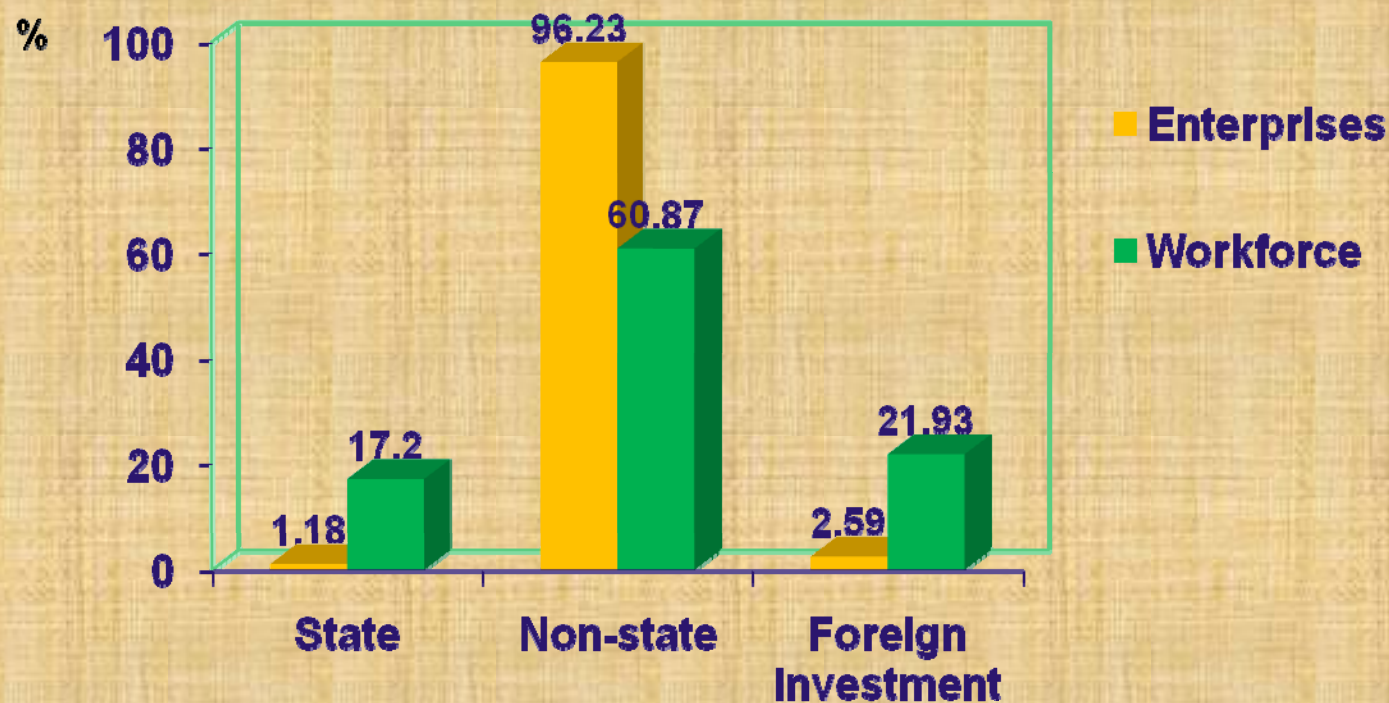


- Country: Vietnam
- Area: 330.991 km²
- Population: 91.7mil
- 63 provinces/cities
- GDP: USD 204 billion
- GDP per capital: USD 2.22
- Growth rate of GDP: 6.68%

(Source: General Statistics Office of Vietnam 2015)

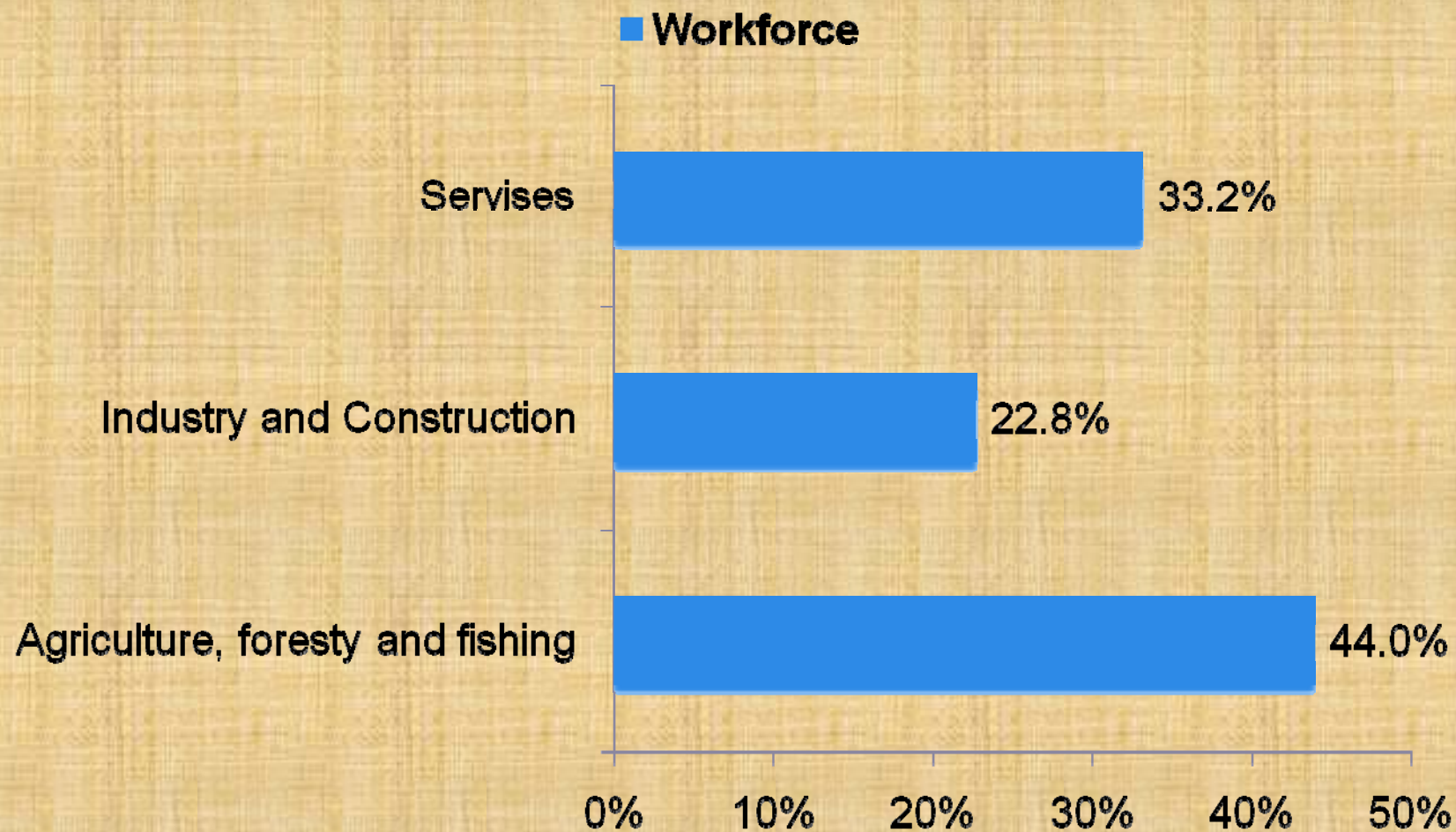
Number of enterprises and workforce, 2015

- Enterprises: 402.362
- Workforce: 53.98 million people (58.7% of total population)



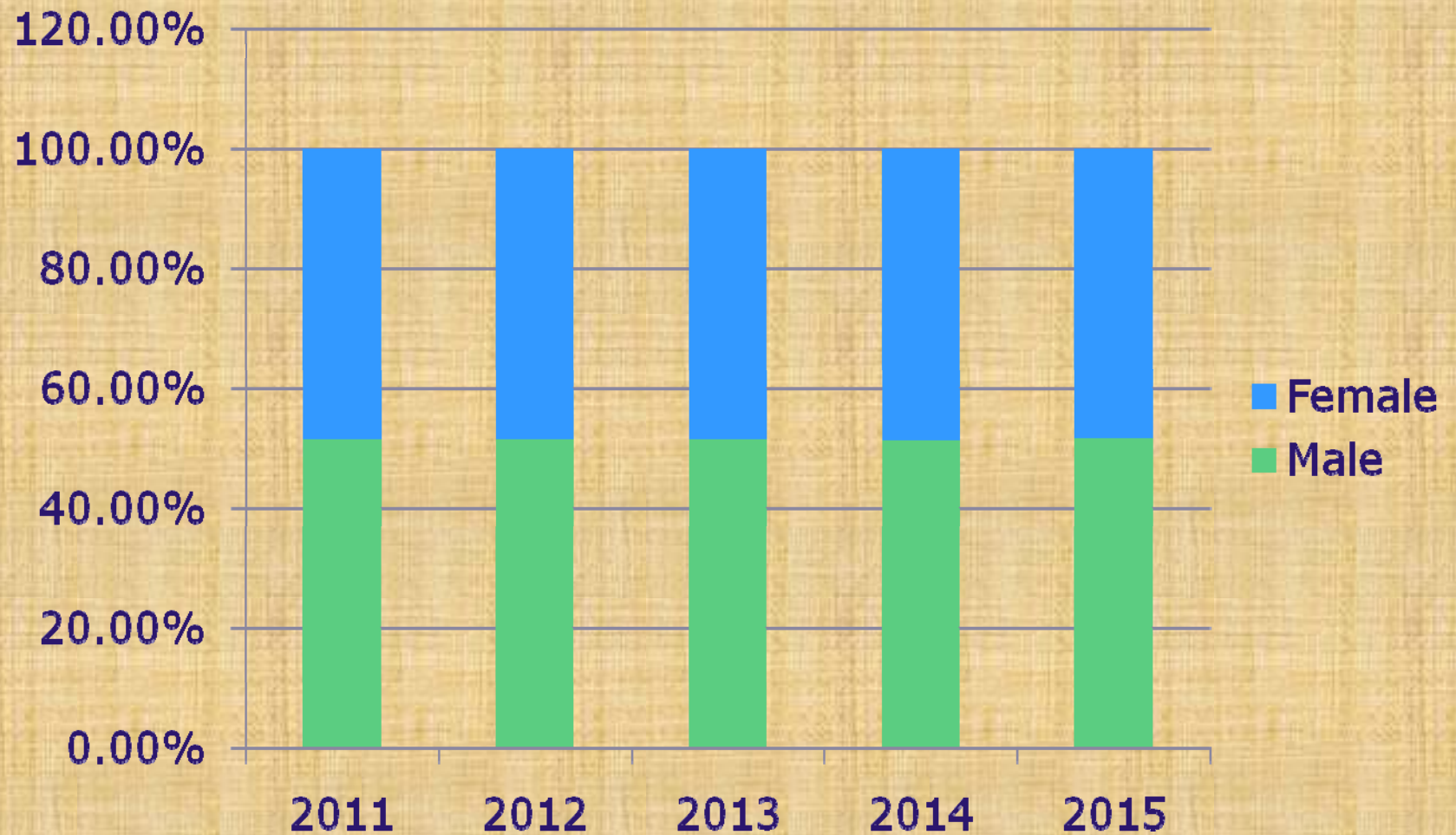
(Source: General Statistics Office of Vietnam 2016)

Workforce by economic activities, 2015



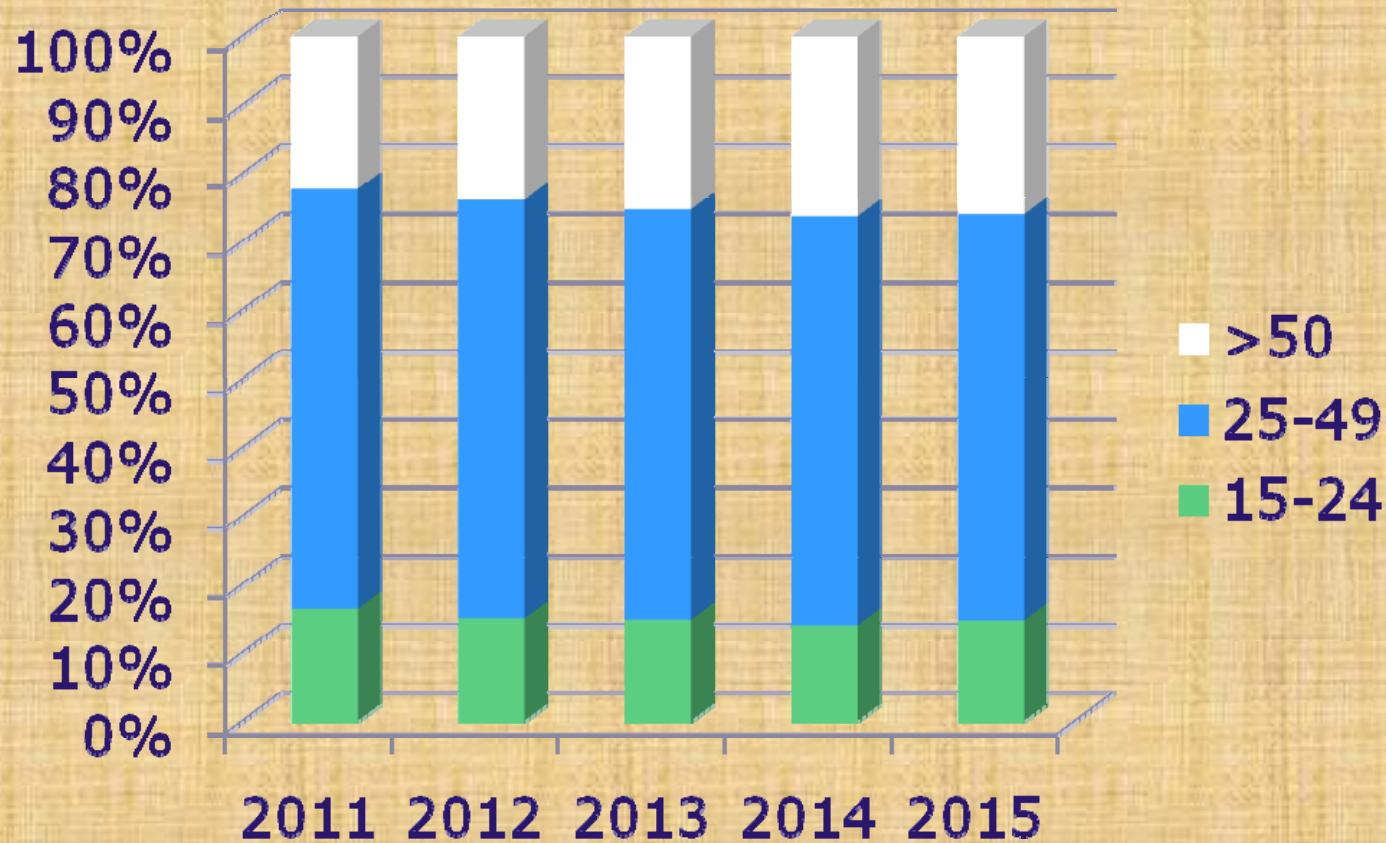
(Source: General Statistics Office of Vietnam 2016)

Distribution of workforce by sex



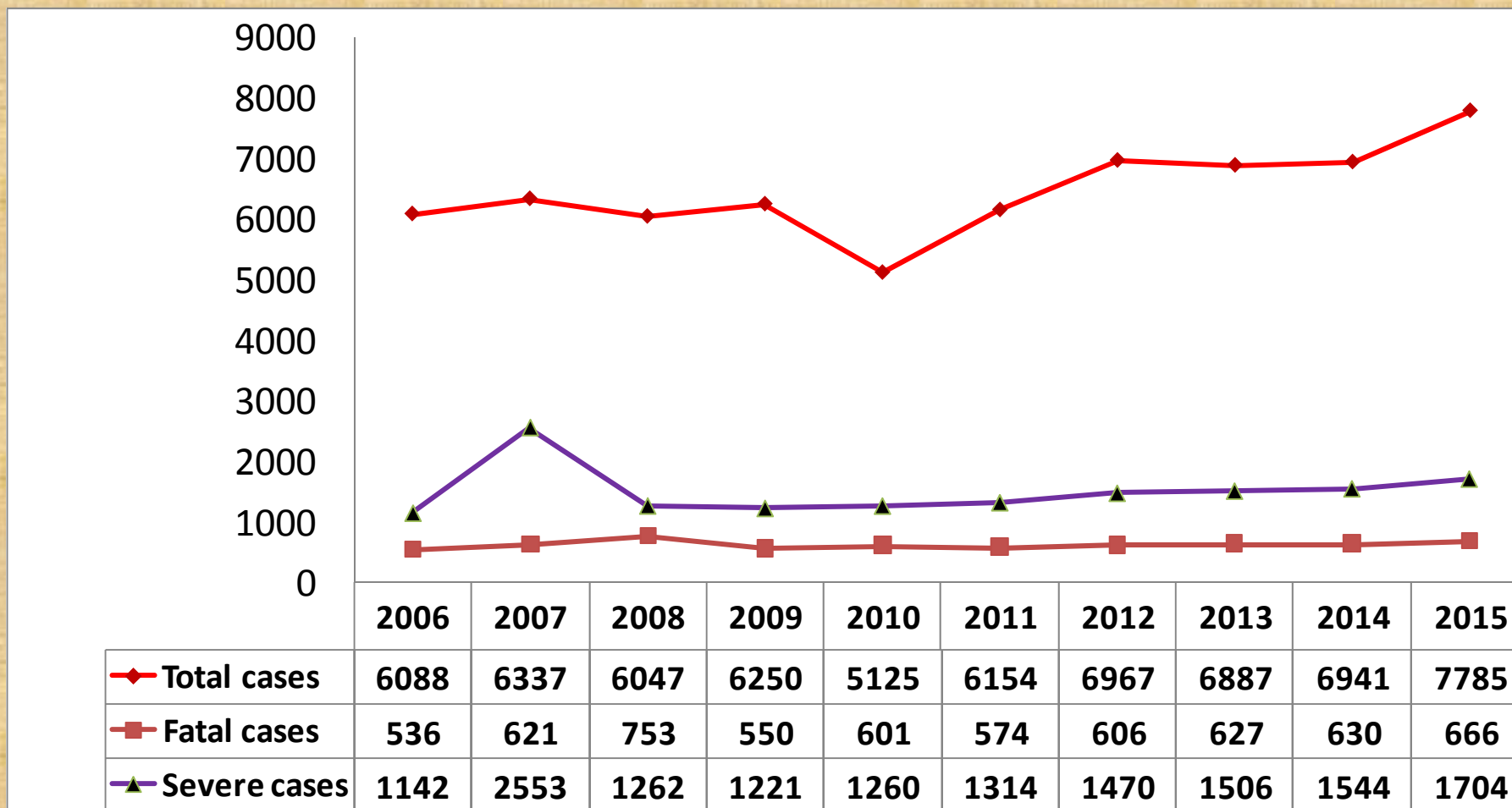
(Source: General Statistics Office of Vietnam 2016)

Distribution of workforce by age



(Source: General Statistics Office of Vietnam 2016)

Situation of occupational accidents by years (2006-2015)



*(Source: Annual Reports of occupational accident situations,
Department of Work Safety, MOLISA Vietnam)*

Situation of Occupational accidents (cont.)

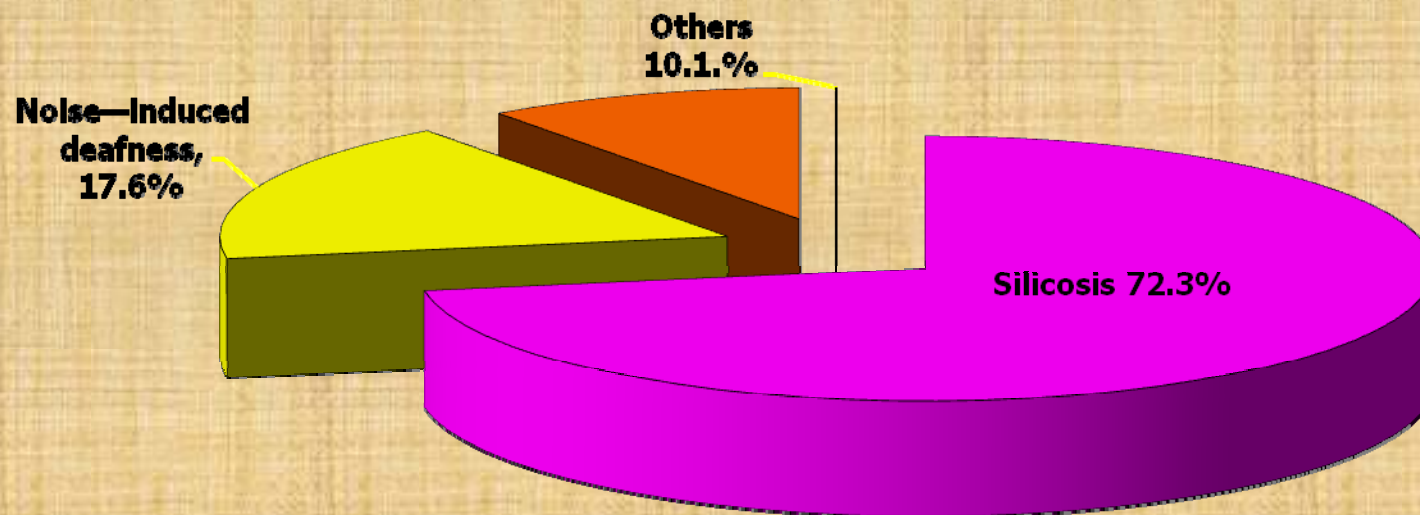
Industry sectors contributing to dead accidents

2013	2014	2015
1. Construction	1. Construction	1. Construction
2. Mining	2. Mining	2. Mechanic
3. Electricity	3. Service	3. Service
4. Mechanic	4. Mechanic	4. Transportation
	4. Textile	5. Mining
		6. Agriculture and forestry

*(Source: Annual Reports of occupational accident situations,
Department of Work Safety, MOLISA Vietnam)*

Situation of occupational diseases up to 2015

- 34 compensated ODs
- Cumulative OD cases in 2015: 28.817
- Two leading OD (cumulative up to December, 2015):
 - Silicosis: 20.837 cases (72.3%)
 - Noise-induced deafness: 5.099 cases (17.6%)



(Source: Reports of occupational health 2015, HEMA-MOH, Vietnam)

Data collection methods for statistics

- The official reports of the relevant state-level management agencies :
 - + Ministry of Health (MOH)
 - + Ministry of Labour, Invalids and Social Affairs (MOLISA)
 - + General Statistics Office of Vietnam
 - The national-level surveys, scientific projects and tasks, international cooperative projects, articles published in professional journals on occupational health, etc.
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Related Laws and Regulations

- Vietnam Constitution, 2013
 - Law on People's Health Protection, 1989
 - Law on Environmental Protection, 2014
 - Labour Code, 2012
 - Law on Chemical, 2007
 - Law on Fire Prevention, amended and supplemented, 2013
 - Law on Employment, 2013
 - Law on Social Insurance, 2014
 - Law on Health Insurance, 2014
 - Law on Occupational Safety and Hygiene, 2015
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Related Laws and Regulations (cont.)

- **Decree No. 37/2016/ND-CP** dated 15 May 2016 of the Government providing guidelines for certain articles of the 2015's Law on occupational safety and hygiene, deals with compulsory insurance for occupational accidents and diseases
- **Decree No. 39/2016/ND-CP** dated May 15th, 2016 of the Government on detailing the implementation of some articles of the law on occupational safety and hygiene on control of some dangerous and harmful factors at workplace; notification, investigation, statistics and report on occupational accidents and technical incidents causing occupational unsafety and hygieneness and technical incidents causing serious occupational unsafety and hygieneness; occupational safety and hygiene form some specific labor; occupational safety and hygiene for business and production establishment; state management over occupational safety and hygiene .
- **Decree No. 44/2016/ND-CP** on guidelines for the 2015's Law on occupational safety and hygiene with regard to examination of occupational safety techniques, occupational safety and hygiene training and occupational environment monitoring

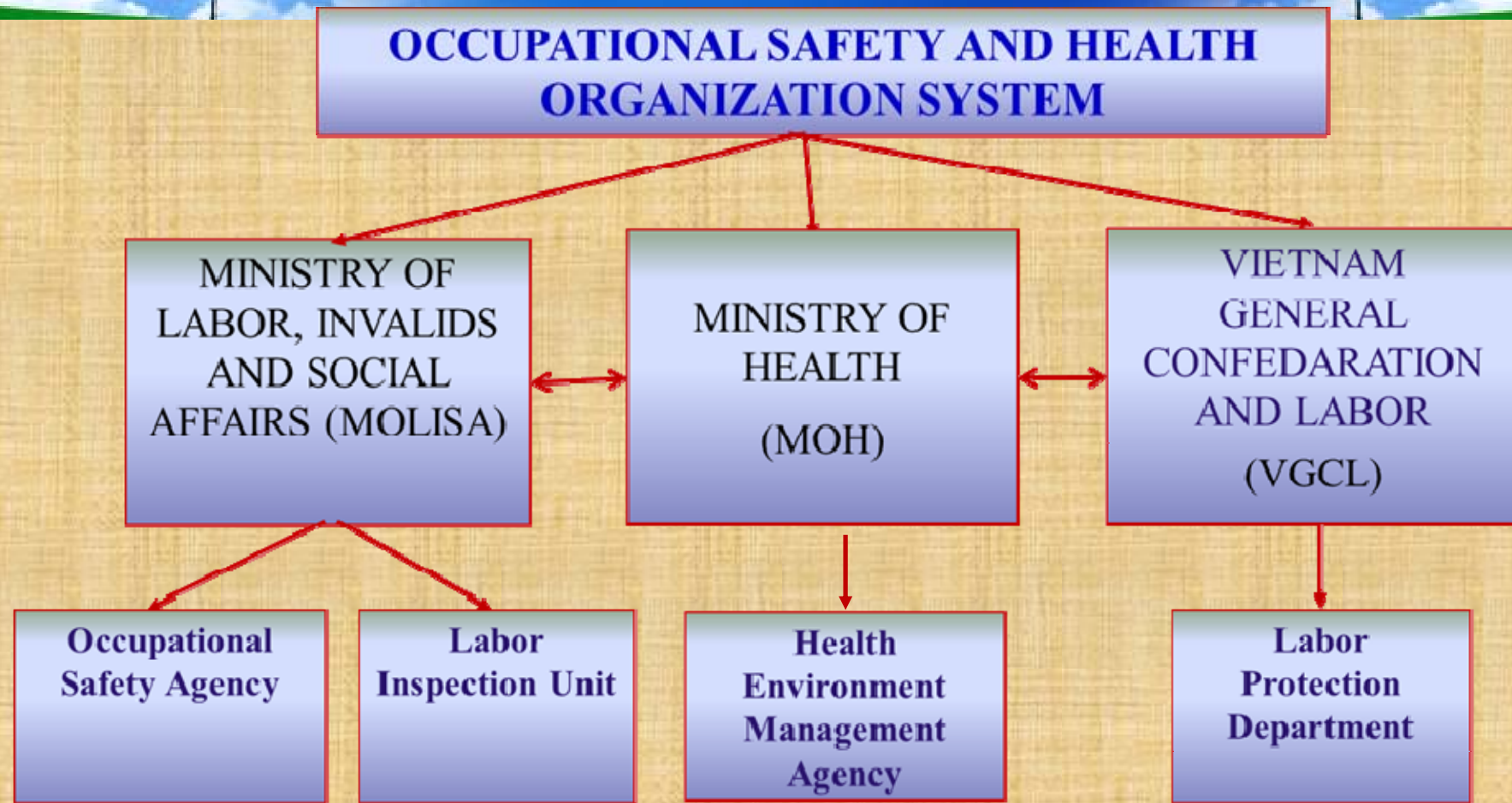
Related Laws and Regulations (cont.)

- **Circular No. 19/2016/TT-BYT** dated 30 June, 2016 of the Ministry of Health (MOH) guides the management of OSH and employee's health.
 - **Circular No. 28/2016/TT-BYT** dated 30 June, 2016 of the Ministry of Health (MOH) guides the management of occupational diseases.
 - **Circular No. 15/2016/TT-BYT** dated 15 May, 2016 of the Ministry of Health (MOH) listed Compensated Occupational Diseases
 - **Joint Circular No 58/2015/TTLT-BYT-BTNMT** The Regulation on Medical Waste Management
 - **Circular No. 21, 22, 23, 24, 25, 26, 27, 29, 30/2016/TT-BYT** dated 30 June, 2016 by MOH promulgating National Technical Regulation – Permissible Exposure Levels of 9 physical factors in the workplace.
 - **Decision No 3733/2002/QD-BYT** dated 10 Oct, 2002 of MOH amends and supplements Decision No. 505/QD-BYT dated 13 Apr, 1992) of MOH in promulgating OH criteria, including 21 criteria, 5 principles and 7 parameters related to occupational hygiene and occupational health.
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Related Laws and Regulations(cont.)

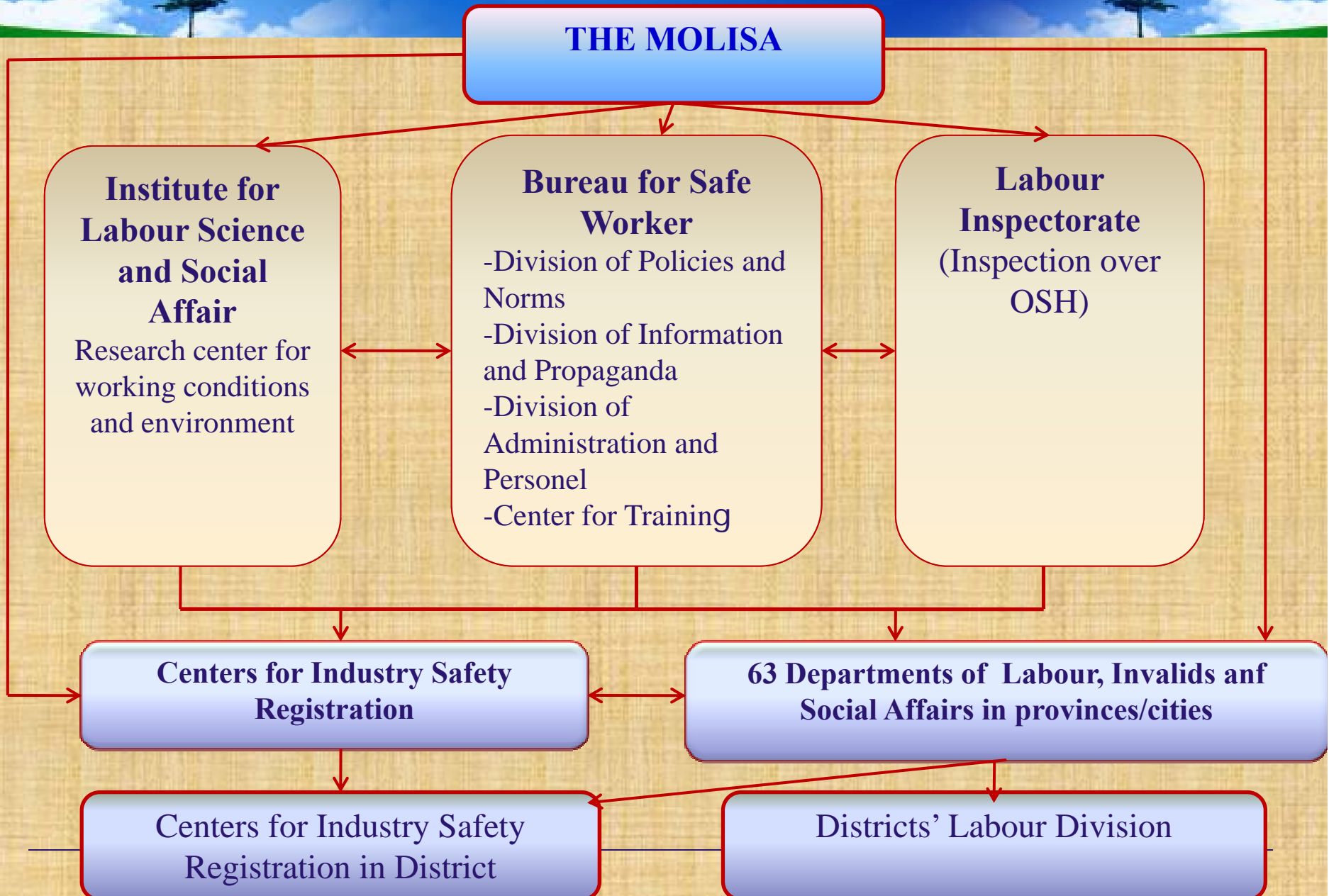
- **Circular No. 14/2013/TT-BYT** (dated 6 May, 2013) of MOH stipulates conditions for health care facilities, processes, records, entrance examinations, physical examinations and routine medical examinations on request .
 - **Circular No. 31/2013/TT-BYT** (dated 15 October, 2013) of MOH regulates environmental monitoring at hospital
 - **Decision No. 1613/QD-BYT** (dated 15 Aug,1997) of MOH regulates the standards for classifying health (i.e., as Types I, II, III, IV and V) in pre-employment and periodic medical examinations.
 - **Joint Circular No. 08/TTLT-BYT-BLDTBXH** (dated 20 Apr,1998) of MOLISA and MOH regulates medical examinations for assessing occupational diseases, health care for workers with occupational diseases, and policies regarding occupational disease patients.
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OSH System



MOLISA and MOH is responsible for the state management of OSH. MOLISA is for work safety. MOH is for the care, protection and promotion of workers' health.

Labor Inspection system of MOLISA



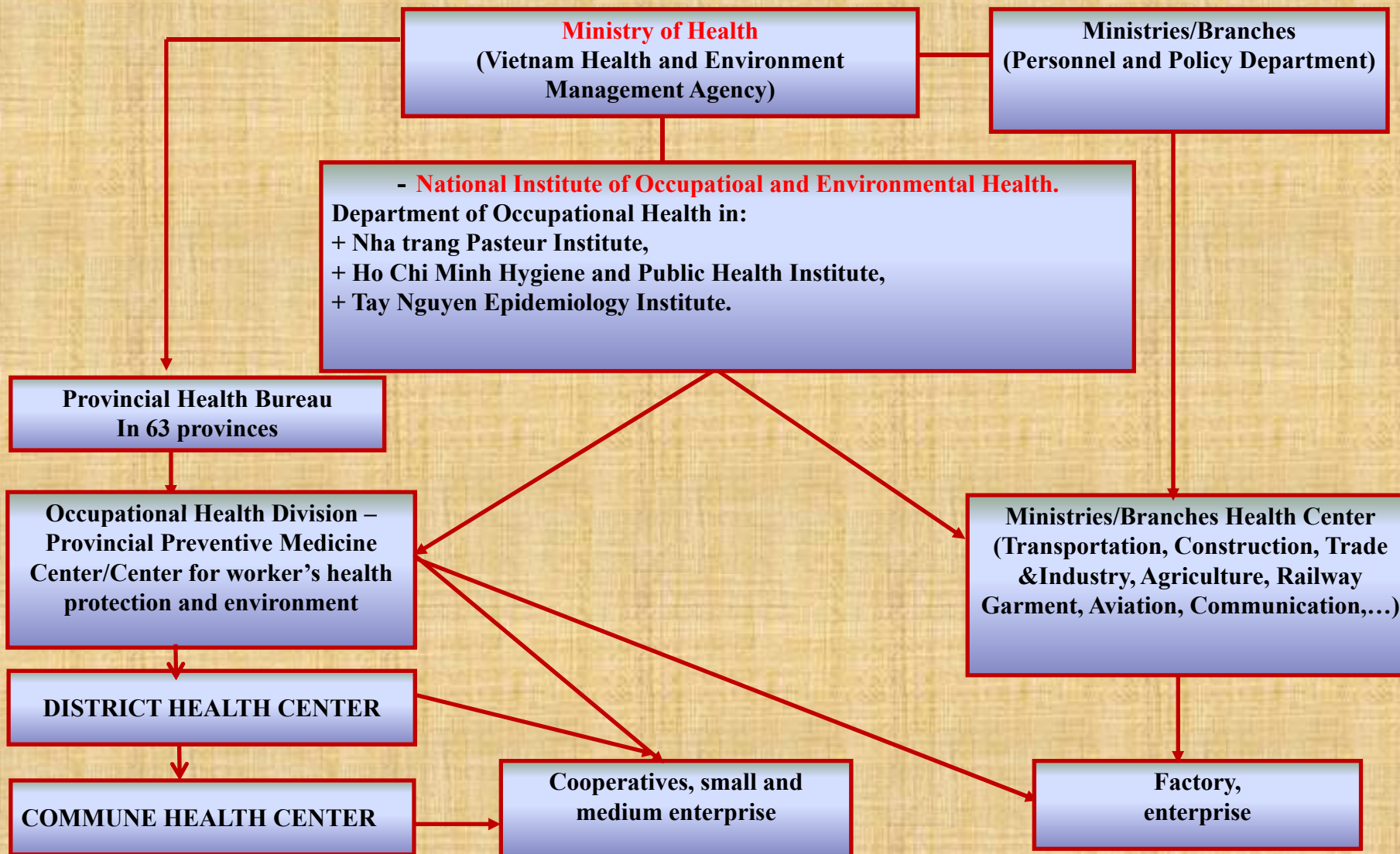
Inspection on implementation of OSH legislative documents

- ❖ **Amended Labor Code 2002 ended the embodiment of an occupational hygiene inspectorate and a safety inspectorate, replacing them with the State Inspectorate of Labor (hereinafter referred to as the Labor Inspectorate), which is organized under MOLISA and functions to inspect the labor laws, including any occupational hygiene content.**
 - ❖ **Regulations on OSH Inspectorate in the Labour Code No. 10/2012/QH13: Article 237 of Labor Code 2012 defined the task of state-level labor inspections (task of Department of Labour Inspection, MOLISA):** Inspection of the observance of legal provisions on labor; Investigation of occupational accidents and violations of occupational safety, occupational hygiene; Join guiding application of the system of technical standards, regulations on working conditions, occupational safety, occupational hygiene...
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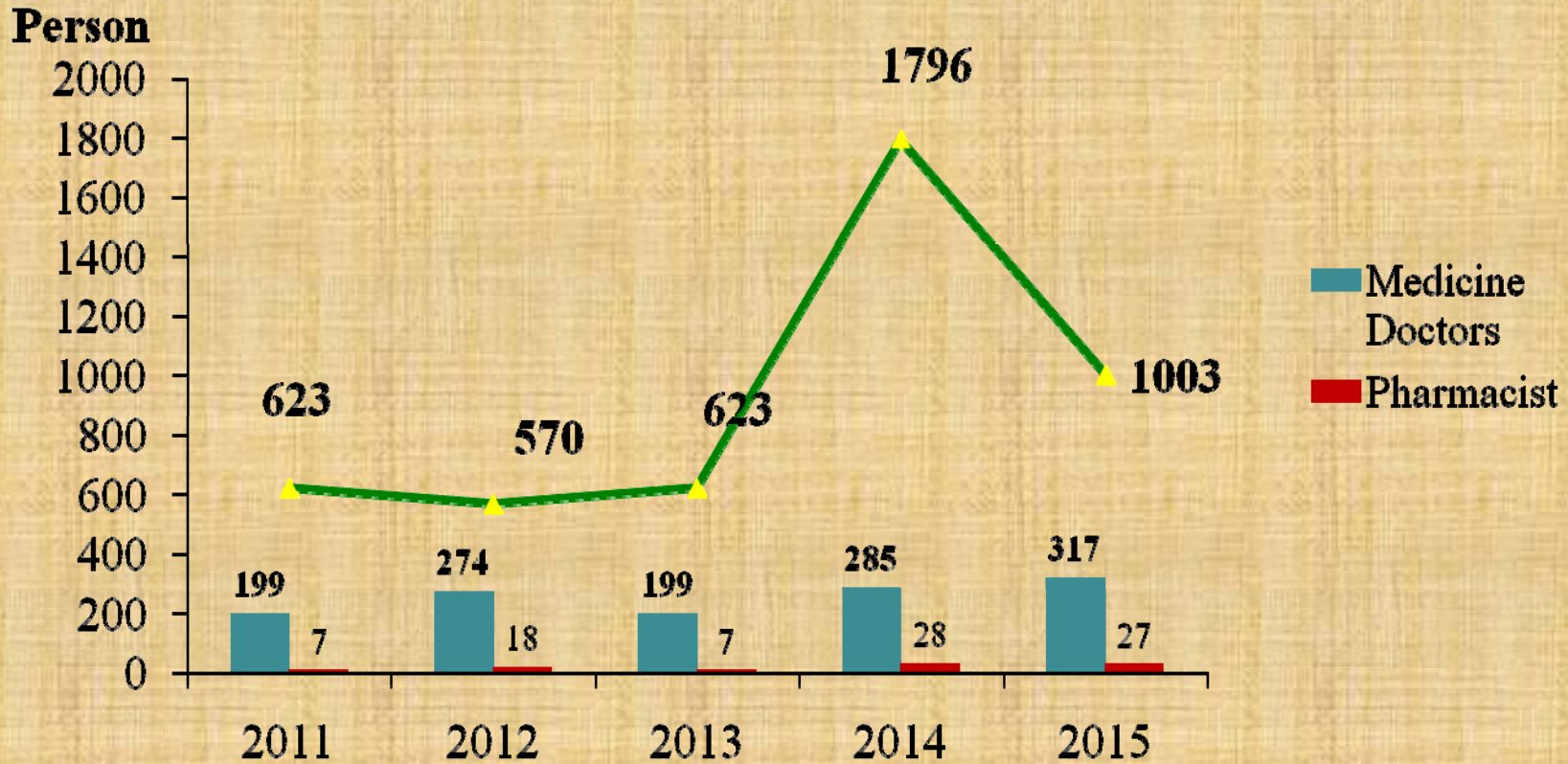
Inspection on implementation of OSH legislative documents (cont.)

- ❖ **Regulations on OH inspection in the Law on Protection of the People's Health No. 21-LCT/ HDNN8:** Article 48: Organization and Power of the State Inspectorate of Health; Article 49: Inspectorate on Hygiene.
 - ❖ **According to Decree No. 63/2012 / ND-CP** of the Government dated 31 Aug, 2012 (currently in effect), the MOH is the state agency for health, including occupational health and hygiene and occupational diseases. In 2013, the MOH established the Department of Legal Inspector (of Environmental Health Management Agency (HEMA)) to perform specialized inspection functions under the jurisdiction of HEMA.
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Occupational Health System



OH Personnel



Distribution of personnel's by professional levels

Source: OH annual reports (HEMA)

Compensation and allowance regimes for workers

- **Social Insurance Law No. 58/2014/QH13** and **Health Insurance Law No. 46/2014/QH13** dated 13 June 2014: regulation of insurance policies and compensation for labor accidents and occupational diseases.
- **Circular No. 10/2003/TT-BLĐTBXH** dated 18 Apr, 2003 guiding the implementation of compensation and allowance regimes for laborers getting labor accidents or occupational diseases: Subjects and scope of application; Compensation regime; Conditions for compensation; Compensation levels.
- **Circular No. 04/2015/ TT-BLĐTBXH** dated 02 Feb, 2015 of the MOLISA guiding regulations implementing the regime of compensation and pension and medical costs from the employer to the work accidents and occupational diseases.
- **Circular No. 15/2016/TT-BYT** dated 15 May, 2016 of the Ministry of Health (MOH) listed Compensated Occupational Diseases

34 diseases up to now

Safety of equipment and facilities

- Hard hats
 - Safety glasses
 - Ear plugs and muffs
 - Dust masks and respirators
 - Work gloves
 - Safety boot
 - Safety belt
 - Safety vest
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Training and Education on OH

- ❖ Institutions: National Institute of Occupational and Environmental Health and 3 regional Institutes in Ho Chi Minh city, Nha Trang & Tay Nguyen.
 - ❖ 8 Medical University as Hanoi Medical University, Hanoi school of public health, Ho Chi Minh City Pharmacy and Medical University, Hue, Thai Binh, Hai Phong and Thai Nguyen, Can tho Medical University also have contributed in to training of occupational health officer for different level and localities.
 - ❖ Train OHS for MD, bachelor.
 - ❖ Retraining OHS practice for MD and others at provincial level and enterprise level.
 - ❖ Specific training program.
 - ❖ Non-governmental organisations involving in OSH activities: Vietnam Association of Occupational Health (VINA OH), Vietnam Occupational Safety and Health Association (VOSHA).
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Training and Education on OH (cont.)

Trainings for OH staffs in the network:

TT	Year	No. of classes	No. of participated units	No. of participants
1	2011	1,661	6,143	309,994
2	2012	3,396	9,603	426,064
3	2013	1,429	5,577	138,739
4	2014	1,429	5,577	138,739
5	2015	2,148	-	186,292

Source: OH annual reports (HEMA - MOH)

Campaign/ Event/ National Convention/ Exhibition

- ❖ The National Program on Occupational Safety and Hygiene 2011-2015; 2016-2020 (for every five years)
 - ❖ The programs on health promotion at workplace
 - ❖ The programs on provision of Basic Occupational Health Service (BOHS) to agricultural workers, traditional villages, healthcare workers, miners, construction workers and workers exposed to chemicals
 - ❖ National Week on Work Safety and Hygiene – Fire and Explosion Prevention , launching every year.
 - ❖ Annual Conferences of National Information Network on Occupational Safety
 - ❖ The Annual National Scientific Conferences on Occupational and Environmental Health.
 - ❖ International Scientific Conferences on Occupational and Environmental Health were held in Hanoi in 2003, 2005, 2009 and 2012.
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Challenges

- ❖ Vietnam is a developing country, in the process of modernization and industrialization, new and old production technologies, many risk factors for occupational accident and diseases.
 - ❖ OSH law and regulations is in developing stage.
 - ❖ Awareness of employers and employees on OSH law and regulations enforcement is no high.
 - ❖ Lack of human resources working in OSH networks
 - ❖ OSH inspectors is limited both quality and quantity.
 - ❖ Lack of equipment for working environment monitoring and occupational disease examination.
 - ❖ Inspection on OSH regulations enforcement is not strong
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Suggestions

- ❖ Completing and supplementing legislative documents on OSH.
 - ❖ Strengthening capacity for OSH network on human resources and equipment.
 - ❖ Strengthening capacity for inspectors and OSH staffs on quality and quantity.
 - ❖ Strengthening OHS training program for employers and employees
 - ❖ Strengthening IEC on OSH for society.
 - ❖ Strengthening inspection on OSH regulations enforcement with strong coordination from local authorities. Promotion of self-inspection and supervision of OSH in units and businesses
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References

- **Ministry of Health**, *Health statistical Yearbook 2011, 2012, 2013, 2014, 2015*
 - **Health and Environment Management Agency**, *Annual Report of Occupational Health 2011, 2012, 2013, 2014, 2015*
 - **Bureau of Work Safety, MOLISA**, *Annual Report on Occupational Accidents 2011, 2012, 2013, 2014, 2015*
 - **General Statistics Office**, “*Reports on population, employment, distribution of occupations, etc.*”, *Statistical Yearbook 2011, 2012, 2013, 2014, 2015, 2016*
 - **Social Insurance Agency**, *Compensation data related to occupational accidents and diseases.*
 - Studies and surveys related to OHS, published in the professional journals
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THANK YOU FOR YOUR ATTENTION !



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