



# NEWSLETTER

On Occupational Safety and Health & Working Environment

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Viet Nam National Institute of Occupational Safety and Health - VNNIOSH

## ACTION MONTH FOR OCCUPATIONAL SAFETY AND HEALTH 2019



## Action Month for Occupational Safety and Health 2019

On the morning of 4 May, in Tam Ky city (Quang Nam), the Central Steering Committee for Action Month on Occupational Safety and Health (OSH), in coordination with the Ministry of Labour –Invalids and Social Affairs, the General Confederation of Labour and the Provincial People's Committee of Quang Nam, has organized the launching ceremony of OSH Action Month in 2019.

With the theme of "Strengthening assessment and management of the occupational safety and health risks at the workplace", the Central Steering Committee for Action Month for OSH has proposed that ministries, sectors, local authorities, enterprises and workers continue to promote the achievements in 2018; set out specific measures to overcome shortcomings, limitations; proactively prevent labour accidents, occupational diseases and build OSH culture in enterprises.

According to the report of the Central Steering Committee for Action Month for OSH, there were many practical activities in 2018 such as organizing of hundreds of competitions on OSH laws, competitions among OSH activists; issuing over 500 thousand leaflets and publications which reached many enterprises and workers. Emulation movements to ensure the improvement of OSH on a large scale in enterprises and facilities such as green - clean - beautiful movement, safe workshop corner movement, movement to mobilize the signing of commitment to emulate in ensuring OSH and movement to build an OSH culture. There are more than 2 million employees who take periodic health examinations;



*Mr. Le Tan Dung - Deputy Minister of Labour - Invalids and Social Affairs - launching the Action Month for OSH 2019. Source: Internet*

more than 700 thousand cases of workers utilizing examination and treatment services at medical facilities nationwide.

In 2018, professional training has been conducted for more than 300 safety inspectors; the inspection of more than 3 million machines and equipment with strict labour safety requirements has been carried out; more than 8,000 lifting equipment, pressure equipment and nearly 4 million personal protective equipment have been certified. More than 300 thousand cases of workers exposed to harmful factors are examined for occupational diseases, thereby discovering more than 3,500 cases of disease. Diseases with high prevalence includes occupational noise-induced hearing loss (66.6%) and occupational silicosis (16.8%).

In the sector regarding Labour – Invalids and Social Affairs, more than 3,000 inspections in the field of labour have been conducted; more than 16 thousand self-test votes

have been issued, more than 26 thousand wrong-doings have been discovered. The Inspectorate of Ministry of Labour - Invalids and Social Affairs has inspected and examined OSH in more than 200 enterprises, corporations, 9 construction projects; and consequently it has issued more than 1,400 legal remedies for the wrong-doings, 25 decisions to sanction administrative violations with the total fine of more than VND 1,000 billion.

Nationwide, consultation has been conducted for more than 4,500 enterprises to establish and effectively implement OSH management systems; 60,000 people working in positions with strict requirements for OSH or having hazardous occupations have been supported by OSH training; more than 40 craft villages, 600 cooperatives, more than 50,000 small and medium enterprises, and 2,000 members of Farmer Association who work in hazardous and dangerous situations, etc., have been regularly educated on OSH.

However, in 2018, 7,997 accidents occurred across the country, causing 8,229 people injured. In the area with contractual labour relations, there were 7,090 cases of occupational accidents, causing more than 7,000 people injured and 622 deaths (number of fatal labour accidents decreased by 10.8%, the number of deaths decreased by 6.6% compared to 2017). In the area devoid of labour contracts, more than 900 occupational accidents occurred, causing more than 400 deaths. Compared to 2017, the number of deaths and seriously injured people tends to increase. The number of localities reporting labour accidents in the area without contractual labour relations has been higher than in 2017 (51/43).

Speaking at the launching ceremony, Deputy Minister of Labour-Invalids and Social Affairs Le Tan Dung affirmed that in 2018, OSH activities have gained multiple achievements, raising awareness of workers, employers and society at large; increased labour productivity; improved working conditions and

environment. However, the Deputy Minister also said that many shortcomings concerning OSH still exist, for example, the number of labour accidents still remain high causing a serious concern. Especially, in the area devoid of labour contracts, mortality rates increased by 59%, requiring more attention. In the first months of 2019, there were a number of occupational accidents in the construction industry. These are particularly serious cases of fire and explosion, causing many dead and injured, inflicting severe damages to human lives and property.

In order to effectively and practically implement Action Month, the Deputy Minister suggested that ministries, sectors, local authorities and enterprises focus on several key tasks such as: continuing the integrated, regular and effective implementation of directions in the spirit of Directive 29-CT/TW issued by the Party Central Committee's Secretariat on promoting OSH in the period of industrialization, modernization and international integration; Law on OSH and its guiding documents; improving the identification of hazards and risks assessment and proposing solutions to prevent risks of labour accidents and occupational diseases. It is necessary to consider this as a breakthrough to raise awareness and change the mindset of workers and employers, thereby encouraging them to take specific and practical actions.

Ministries, sectors, local authorities and enterprises should take the initiative in inter-sectoral coordination to implement activities; pay close attention to widening the scope of implementation of OSH activities in district and commune levels, even in areas without of labor relations, in informal sectors of the economy, in agriculture and craft villages, thus creating a pervasive effect in the community. It is equally important to replicate best practice models on OSH; improve the effectiveness of supervision and inspection and strictly handle violations in OSH.

Enterprises and manufacturing facilities



Mr. Ngo Duy Hieu - Vice President of Vietnam General Confederation of Labour; Mr. Le Tan Dung - Deputy Minister of Labour - Invalids and Social Affairs - awarding certificates of merit to collectives and individuals. Source: Internet

need to increase investment to establish OSH management systems; ensuring self-inspection, review and assessment of OSH hazards and risks at the workplace; actively controlling and preventing harmful factors. Workers need to proactively equip themselves with knowledge and skills to identify risks and ensure safety at work to protect themselves as well as their colleagues and families.

At the ceremony, Director of ILO country office for Vietnam Mr. Chang Hee Lee pointed out that every year in the world, there were more than 374 million people injured or affected by workplace accidents. Occupational diseases is the "culprit" which causes the highest mortality rate, accounting for 86% deaths at work. On average, every day, 6,500 people die from occupational diseases. The number of working days lost due to OSH-related causes accounts for the loss of about 4% of the global GDP. In order to curb this, ILO encourages the application of international standards

through the laws of each country, regulations relating to the identification and assessment of hazards and risks, ensuring safe and healthy working environment for workers.

2019 marks the 100th anniversary since ILO first connected labour activities in many countries around the world. Over the past 100 years, the ILO has been working hard for the benefits of workers, for their OSH. Most labour accidents and occupational diseases are preventable. The theme of this year's OSH Action Month affirmed Vietnam's commitment and determination in building OSH culture. It is also a prioritized policy of Vietnam to implement OSH.

Also at the Launching Ceremony, the organizing committee also arranged for dialogues about policies and laws on OSH; visited and gave gifts to the bereaved families of workers who lost their lives in labour accidents.

# National Assembly's Committee for Social Affairs: Organising OSH Specialised Supervision Delegation for period 2016 - 2018

The National Assembly's Committee for Social Affairs has issued Resolution no. 1737/NQ-UBVDXH14 dated 11 December 2018 on the establishment of a Specialised Supervision Delegation on "The implementation of policies and laws on occupational health and safety in the period 2016 - 2018" headed by Mrs. Nguyen Thuy Anh, Chairwoman of The National Assembly's Committee for Social Affairs, with the participation of Mr. Bui Sy Loi, Mrs. Nguyen Hoang Mai, Mr. Dang Thuan Phong, Mrs. Le Thi Nguyet, Vice Chairs of the Committee as Deputy Heads of the Delegation.

The Supervision Delegation would organise its activities in Hanoi, Ho Chi Minh cities and in the provinces of Thai Nguyen, Quang Ninh, Ba Ria - Vung Tau, Gia Lai and Binh Duong and work with relevant ministries, sectors, agencies organizations and individuals at the central and local levels, including the Vietnam National Institute of Occupational Safety and Health (subordinate to the Vietnam General Confederation of Labour).

The purposes of supervision include: reviewing and evaluating the current situation of occupational safety and health (OSH), especially the situation of labour accidents, occupational diseases and the implementation of policies and laws on OSH; analyzing the advantages, difficulties, obstacles, causes and responsibilities in the implementation of policies and laws; encouraging the Government, ministries, sectors, local authorities, enterpris-

es, trade unions and workers to devote more attention to the assumption of responsibilities, rights and obligations on OSH; bringing forward proposals recommendations to improve the system of policies and laws as well as the implementation of these policies and laws in this field.

The issues under supervision include: The situation of issuing legal documents which provide detailed regulations on OSH and guidance on the implementation and dissemination of the Law on OSH; the situation of labour accidents and occupational diseases in the period 2016-2018; and the implementation of OSH policies and laws (the group of policies on the prevention of occupational accidents and diseases, the group of policies to overcome risks, the implementation of OSH policies for specific workers, state management on OSH, the implementation of OSH policies and laws in a number of high-risk industries and sectors such as mining, chemicals, mechanics, metallurgy, petroleum, electricity, industrial explosive materials, construction, etc.).

It is expected that the Supervision Delegation completes the draft Supervision Report before 31 March 2019; organizes a Seminar to collect comments from experts on the draft Supervision Report on 8 April 2019; reports supervision results at the Committee Plenary Meeting (before the 7th Session at the end of April 2019); and reports to the Standing Committee of the National Assembly in May or August 2019.

# VGCL Issues

## the Plan for OSH Action Month in 2019

On January 14, 2019, the Presidium of the Vietnam General Confederation of Labour (VGCL) has issued Plan No. 04/KH-TLD on the organization of Action Month for occupational safety and health (OSH) in 2019 in trade unions of all levels.

Accordingly, the Action Month for OSH 2019 would be implemented nationwide from 1 to 31 May 2019 with the theme: "Strengthening assessment and management of occupational safety and health risks at the workplace".

The goals of the 2019 OSH Action Month in trade unions of all levels include: To promote cooperation between trade unions and appropriate agencies, authorities of equivalent level and between grass-roots trade unions and employers for the implementation of specific programs to improve working conditions; To push forth the dissemination of information and education, raising awareness and consciousness for employers and workers in the implementation of the Law on OSH; To effectively implement OSH work, thereby contributing to building harmonious, stable and progressive labour relations in the workplace, contributing to affirming the role and position of trade unions, attracting workers to joining trade unions and building a strong working class and strong trade unions.

***VGCL calls for trade unions of all levels to organize the following major activities:***

1. To increase communication activities on OSH include: To diversify forms of dissemination and popularization of OSH policies, laws and knowledge; to educate to raise awareness and consciousness of responsibility of employ-

ers and workers in the implementation of OSH regulations.

2. To promote and improve the effectiveness of the OSH movement which calls for the participation of the populace; to coordinate with related agencies to launch emulation movement on OSH and movement to ensure the populace's implementation of OSH. Continue to promote the movement on "Green - Clean - Beautiful, Ensuring occupational safety and health".

3. To coordinate with relevant agencies to put more focus on the supervision and inspection over OSH in enterprises: attaching importance to the inspection and supervision over the development of OSH internal regulations, processes and measures; the assessment and management of risks to occupational safety and health at the workplace; the work of OSH training, testing machines, equipment and materials with strict requirements on labour safety.

4. To organize activities and specialized events on OSH with the aim towards the topic and content of the Action Month.

In addition, the trade union press agencies shall open a specialized column for the Action Month; publish and disseminate information; introduce the activities of the OSH Action Month in 2019 by all levels, sectors, enterprises and trade unions before, during and after the Action Month; disseminate to replicate good examples of outstanding performance in the implementation of OSH work and in "Green-Clean-Beautiful, Ensuring occupational safety and health" movements.

# VGCL launches an online legal advisory system for workers



*Mrs. Truong Thi Mai, Mr. Vu Duc Dam and Mr. Bui Van Cuong pressing the launching button of the online legal advisory system of VGCL*

After 4 months of trial operation, in the afternoon of 13 March, on January 14, 2019, the Presidium of the Vietnam General Confederation of Labour (VGCL) officially opened the online legal advisory system for workers. Attending the Opening Ceremony were Mrs. Truong Thi Mai, Party Politburo member, Secretary of the Party Central Committee, Head of the Central Commission for Mass Mobilization, Mr. Vu Duc Dam, member of the Party Central Committee and Deputy Prime Minister; Mr. Bui Van Cuong, member of the Party Central Committee, Chairman of VGCL, Mr. Tran Thanh Hai, Standing Vice Chairman of VGCL, other Vice Chairmen of VGCL, Mr. Phan Van Anh and Mr. Ngo Duy Hieu, and the Executive Committee of VGCL (XIIth tenure).

According to Vice President Ngo Duy Hieu, the demand for legal advice of workers and

union members is very high given the limitation in time, means of transportation and expenses to visit legal advisory centers and offices.

Moreover, the 4th Industrial Revolution which brought artificial intelligence into play has provided an effective way to receive long-distance legal advices in a trustworthy, quick, convenient and economical manner. Taking into consideration the abovementioned facts, VGCL decided to build an online legal advisory software for workers. This is also the realization of the Program "Improving the efficiency of performing the tasks of representing employees, protecting the legal and legitimate rights and interests of workers in the period 2018-2023" issued by the XIIth-tenure Executive Committee of the VGCL.

After 4 months of implementation, (from November 2018 to March 2019), the online legal advisory software received and

answered 46,409 questions, of which the content regarding labour law accounted for 49.97%, social insurance 26.76%, Trade Union 12.34% and OSH 10.92%. On average, there are 393 turns of question per day, 11,602 turns of questions per month which are automatically answered by the software. The date with the most number of questions and answers reached 892 page-views.

“The software answered the number of questions equivalent to the amount 1 advisor answered in 669,135 minutes, equivalent to 5 years. If using a human advisors to answer the abovementioned number of questions, it takes 15 people to work continuously for 7.5 hours a

day in 4 months - on average, the consultation for each question is carried out within 15 minutes” said Vice President Ngo Duy Hieu.

The online advisory software is currently operating on the Vietnam Trade Union Portal ([www.congdoan.vn](http://www.congdoan.vn)). In the near future, the General Confederation will expand the scope of this software, integrating it into the software of smart phones, websites of the provincial, city Confederation of Labour (CL), Central CL, social networks, automatic telephone answering systems and automatic answering systems located in industrial zones, export processing zones and residential areas with high density of workers' population.

## Vietnam ratifies Convention 159: Ensuring equal labour rights for disabled persons

On 11 March, General Secretary and President Nguyen Phu Trong signed off on Vietnam's ratification of ILO (International Labour Organisation) Convention 159 on vocational rehabilitation and employment for disabled persons, further proving country's commitment to eliminating employment discrimination against people with disabilities.

The Convention stipulates that member states must adopt, modify or abolish existing laws, regulations and customs which constitute discrimination against persons with disabilities. The Convention also outlines action and policies at the national level to develop services to support vocational rehabilitation and employment for persons with disabilities (PWD).

In fact, the percentage of disabled workers in Vietnam's labour force today does not stand

at a low level. According the statistics released by the National Committee for Vietnamese Persons with Disabilities, until early 2018, there are approximately 8 million PWD above the age of 5 in Vietnam, accounting for 7.8% of the population. Women and men make up 58% and 42% of PWD, respectively. The majority of working-age PWD live in the rural areas, helping their families in agriculture and fisheries and earning low incomes. In the estimated 40% of PWD are of working age and employable, only 30% have a job that creates income for their own, their families, and the society. This means approximately 2 million employable PWD have not entered the labour force and are without jobs.

An ILO study points out that Vietnam loses approximately 3% of its GDP as the result of the exclusion of PWD from the labour market. Moreover, creating favorable conditions for the





employment of PWD also means leaving no one behind in an all-inclusive development process. Creating job opportunities for disabled workers would benefit enterprises, individuals, and society at large.

Currently, Vietnam has had a system of existing legal documents including: Law on PWD in 2010; Law on Vocational Education and Training; Law on Employment; Law on Construction; Law on Road Traffic; Law on Social Health Insurance; Law on Occupational Safety and Health, etc., which stipulates many important regulations relating to labor rehabilitation, vocational training, job introduction and counseling, job creation, along with the support of the State, community and society for PWD. However, in spite of these achievements, supporting and creating jobs for PWD proves arduous, and it is still difficult for PWD to gain access to preferential loans for taking vocational training or establishing manufacturing enterprises or starting their own business. The proportion of PWD who would be employed after vocational training is low and mainly they would create jobs themselves. Besides, although the provisions of the Law on PWD stipulate against refusal of qualified PWD from agencies, enterprises and organizations, many employers and organizations are not ready to recruit PWD.

The ratification and observance of

Convention 159 is a step further to strengthen Vietnam's existing legal framework to support PWD, contribute to improving the policies and mechanisms of Vietnam's labour market towards modernity, in conformity with international labour standards, ensuring the rights of disadvantaged groups in the labour market. To achieve this goal, solutions must be worked out to improve the effectiveness of employment support for PWD in the time to come. In particular, it is important to shift the views in the perception and approach towards PWD, to recognize PWD as a potential labor force, playing an active role in society. Therefore, creating jobs for PWD does not mean serving humanitarian or charitable purposes, but meeting legitimate needs and ensuring their rights to work and be recognized. On that basis, the Ministry of Labor-Invalids and Social Affairs should coordinate with relevant ministries and agencies to formulate and promulgate policies to attend to the rights of PWD, adopt mechanisms and policies on financing and supporting vocational training, assisting employers accepting PWD and supporting PWD who have the ideas for establishing manufacturing enterprises or starting their own business; and build a database on PWD. It is equally important to analyze and assess the needs of vocational training and employment of each target group, thereby having appropriate and effective support policies, etc.

# Situation of Vietnam's labour accidents in 2018



## I. Situation of labour accidents in 2018

According to information on the situation of labour accidents in 2018 of the Ministry of Labour - Invalids and Social Affairs, in 2018, there were 7,997 cases of labour accidents nationwide, causing 8,229 people injured (including in both areas where labour relations are established via contracts and areas devoid of labour contracts); in which, 972 cases were fatal occupational accidents, 112 cases caused two or more people injured, the number of deaths due to labour accidents was 1,039, the number of seriously injured people was 1,939, the number of female workers suffered from labour accidents was 2,667.

Regarding the cases of labour accidents where workers had contractual labour relations with their employers, both the number of cases and the number of deaths reduced compared to 2017. In the area without labour contracts, the number of labour accidents increased by 18.6%. However, records of serious labour accidents (causing 2 or more people injured) show an increase. In 2018, there

were still 17 cases of labour accidents which caused 2 or more deaths.

The regions with the highest number of deaths due to work accidents in 2018 including the area with contractual labour relations and the area without labour contracts were Ho Chi Minh city, Ha Noi, Hai Duong, Thai Nguyen, Yen Bai, Dong Nai, Quang Ninh, Ca Mau, Quang Tri and Binh Duong.

The main risk factors for injury which caused the most cases of deaths were traffic accidents, falls from height, falling objects, collapses, electric shock, milling machines, clamping equipment, flying objects, etc. Sectors of business and manufacturing with the highest number of occupational accidents included construction, manufacturing of construction materials, textiles, footwear, mining, mineral exploitation, mechanics, metallurgy, etc.

According to the analysis from the records of investigation into cases of fatal labour accidents in 2018, the cases in which employers

caused labour accidents accounted for 46.49% of all cases. The cases in which employers did not build safety procedures and measures accounted for 34.56%; the cases in which accidents caused by inappropriate working conditions and organization accounted for 9.64%; the cases in which employers did not provide training in occupational safety for their workers or the training was inadequate accounted for 7.02%; and the cases in which the equipment did not ensure labor safety accounted for 0.88% of all the cases of labour accidents.

The cases in which workers violated the labour safety standards and measures accounted for 18.42% of the total number of cases. The remaining 35.06% is due to other causes.

According to data from local preliminary reports, the capital losses caused by labour accidents occurred in 2018 amounted to VND 1,494 million, comprised of: the cost of medicine, funerals, and compensation for the families of the dead and the injured, etc.; property damage caused VND 5.0 billion in losses; the total number of days off work due to labour accidents was 127,034.

## II. Some solutions to prevent labour accidents in the coming time

1. Ministries and sectors shall direct enterprises in the sectors and domains under their management to actively inspect occupational safety and health (OSH); coordinate with the Ministry of Labour - Invalids and Social Affairs in supervision and inspection of enterprises operating in areas with high risks of labour accidents and serious incidents such as construction and manufacturing of construction materials, textile, footwear, mining, minerals, especially of key construction projects, adjacent to residential areas or crowded areas;

2. People's Committees of provinces and cities shall direct appropriate authorities:

- To intensify supervision and inspection over the implementation of regulations on OSH in enterprises, pay attention to the building of processes and measures to ensure safety in enterprises; make reports on occupational in conformity with the Law on Occupational Safety and Health;

- To push forth dissemination and education of knowledge and laws on OSH in accordance with specific field and occupation, giving priority



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### CONTENTS

•	Action Month for Occupational Safety and Health 2019	1
•	National Assembly's Committee for Social Affairs: Organising OSH Specialised Supervision Delegation for period 2016 - 2018	5
•	VGCL Issues the Plan for OSH Action Month in 2019	6
•	VGCL launches an online legal advisory system for workers	7
•	Vietnam ratifies Convention 159 – Ensuring equal labour rights for disabled persons	8
•	Situation of Vietnam's labour accidents in 2018	10

to the dissemination and education of laws on OSH for workers who do not work under labour contracts;

- To strengthen investigation into cases of labour accidents for workers who do not work under labour contracts;

- To enhance the prevention of occupational accidents and diseases with the support from the occupational accidents and diseases fund, report to the Ministry of Labour - Invalids and Social Affairs;

- To offer guidance on preparing statistics and reports of labour accidents occurred to people who do not work under labour contracts; make records of labour accidents occurred to people who do not work under labor contracts;

- To implement the development of regulations on coordination to investigate fatal labour accidents and other occupational accidents which shows signs of a criminal case;

3. Enterprises shall strengthen the implementation of the work to ensure OSH, pay attention to activities of self-inspection, proactive control and prevention of harmful risk factors in enterprises, prevention of labour accidents due to falls from height, electric shock, falling objects, collapses; organize the training on labour safety and health for workers;

5. Vietnam Chamber of Commerce and Industry shall disseminate information and mobilize people to pay attention and attach special care to the development of internal regulations, processes and measures to ensure occupational safety and health and the improvement of working conditions at their workplace; organize the dissemination and education on the Law on OSH for members;

6. The Vietnam General Confederation of Labor shall promote the dissemination of information and mobilize workers to observe rules and regulations on safety, utilize personal protective equipment in order to minimize the possibility of labor accidents, ensuring safety, health and life for workers.

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