



# NEWSLETTER

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National Institute of Labour Protection of Vietnam-CIS/ILO Collaborating Centre

## National Institute of Labour Protection A 45 year-journey for workers

**Dr. Do Tran Hai**  
*Member of VGCL's Presidium*  
*General Director of National Institute of Labour Protection*

*On the 1st May 1971, the Cabinet Council (now the Government) of the Socialist Republic of Vietnam has issued Decision No. 82/CP on establishment of the National Institute of Labour Protection (NILP) and assigned Vietnam Federation of Trade Unions (now the Vietnam General Confederation of Labour) to manage. The establishment of NILP marked an important turning point in OSH, protection and care of workers' health in the country.*

In the early days, the NILP had 19 employees. Along with the support of the All Union Central Council of Trade Unions (Soviet Union), besides the task of scientific research and implementation of activities supporting production enterprises on OSH, NILP had focused on building infrastructure and professional staff. On the 1st May 1977, the Sub-Institute of Labour Protection in Ho Chi Minh city and then on the 1st May 1979 the Sub-Institute of Labour Protection in Danang city were established that promptly respond to OSH requirements in the Central-Highlands and Southern provinces of the country.

During the period of industrialization and modernization of the country, in order to highlight

the contribution of NILP for the general development of the country, considering its actual capacity, the Prime Minister issued Decision No. 141/1998/QĐ-TTg which recognized NILP as one of the key leading institutes in the system of science and technology agencies of the State. Also in this Decision, the Prime Minister assigned additional mandates for NILP to timely meet demand of



**NILP's staff take picture with Mr Dang Ngoc Tung, President of VGCL, on the occasion of the New Year 2016**

development of science and technology on OSH and environmental protection in the new situation.

Integrating with global development trends, implementing the policy of socialist-oriented market economic development of the Party and the State, on the 28th November 2006 the Presidium of VGCL issued Decision No. 1752/QD-TLD approving the transformation project of NILP according to Decree No. 115/2005/ND-CP dated 5th November 2005 of the Government stipulated the autonomy, self-responsibility mechanism for the public science and technology organizations. Implementing this project, NILP has gradually reorganized its sections towards both basic research in parallel with the deployment of scientific and technological applications on OSH and environment protection.

Currently, under NILP management there are centres of science and technology research, centres of application and consultancy for technology transfer, two sub-institutes (in Ho Chi Minh city and Danang city), one working environment monitoring station. NILP has established dedicated laboratories, including 03 ones meeting VILAS standards. Besides, NILP directly manages the Labour Protection magazine, the Safety-Health and Working Environmental magazine. Every year, NILP receives budget from State for building capacity of laboratories to ensure better services of research as well as international cooperation. The Institute has more than 200 offi-

cial and employees, including 1 professor, 8 PhD and doctors of science, 50 masters and more than 100 staff with university, college and intermediate degrees.

In the period 2005-2015, the Institute has implemented scientific and technology tasks with 262 projects, including 4 independent projects at national level, 11 projects under the coordination program between VGCL and the Ministry of Science and Technology, 9 projects under key programs of VGCL, 122 projects under VGCL and 116 projects under NILP. The projects have focused mainly on fundamental issues such as employees' working conditions, scientific and technological solutions to improve working conditions and environmental protection; measures to ensure OSH, prevention of occupational accidents and diseases. In addition, some new research directions have also been promoted such as OSH management systems; building and development of clean, safe culture models in production; building forecast tools, risk assessment methods for occupational unsafety and unhealthy, working burden assessment for heavy, hazardous and dangerous industries, etc. The achieved results of scientific and technological tasks in this period have contributed to solving the urgent problems of OSH and environmental protection in industrial zones, export processing zones and in the critical areas of national economy, such as chemicals, electricity, fisheries, construction, textiles, etc; and

initially coming in the field of agriculture, craft village, small industries and handicraft, informal sector, etc; in order to improve working conditions and protect the health of workers.

Most outputs of applied science and technology researches transferred from scientific and technological projects have practical value, widely used by many small and medium enterprises because of real nature, high efficiency, competitive prices; meeting requirements of ensuring OSH and environmental protection. NILP is highly appreciated by more than 65 outstanding scientific and technological products such as: technological systems and equipments to control pollution in working environment and to protect environment; all kinds of safety equipment, personal protective equipment for employees; technical management software for OSH and environmental protection; calculation methods and assessment tools of risk created by unsafe and unhealthy work, working burden assessment, assessment and forecast of occupational hazards to workers' health, etc. Participating in Vietnam Techmarts, NILP has introduced many scientific and technological products and was awarded eight gold cups and several merit certifications for some typical products such as automatic power cutting device for arc welding equipment in non-load operation; set-off vibration device combined with vibration gloves for workers using hand-held pneumatic drills; metal detection device in processed wood installed for wood processing



*Dr. Do Tran Hai speaks at the meeting with officials, employees and workers of NILP 2016*

machines; mini mobile robot in rush cleaning stage in ship building and repair industry; high efficiency 2-vortex anti-dust cyclones, the ultrafiltration filters (getting an efficiency of more than 99.99%) ensuring ultra-clean environment (reaching class 1000); gravity auto-wash cleaning device; bi-fuel engines, etc. In addition, the results of researches have provided scientific basis, recommendations, consultations for the Presidium of VGCL in participating with the Government, ministries, industries in the field of building norms and standards on OSH and environmental protection, etc.

Pollution monitoring activities of working environmental are maintained stably and annually, averaging over 100 production facilities (with the frequency 2 times per year) in industrial zones throughout the country. In this period, the content and quality of pollution monitoring and evaluation indicators are increasingly improved, objectively reliable, guarantee requirements of providing working environment database for annual national environmental reports of Ministry of Natural Resources and Environment. Besides, NILP has organized annual activities for communication and education of environmental protection in many diversified forms such as organized communication and training to raise awareness on OSH and environmental protection for more than 10,000 union members of enterprises, establishments and wards; published nearly 10,000 publications, training materials; 36,900 printed leaflets, posters released in the trade union system; 35,872 posters, banners and slogans; published over 1,000 educational CD to raise awareness on OSH and environmental protection for employers and employees in production facilities; collaborating with central and local television for educational programs to raise awareness of environmental protection for officials and employees, etc. The institute has developed and successfully applied 15 representative models that have well conducted OSH and environmental protection activities contributing effectively to the development of working

capacity of the OSH activists in production facilities in particular, as well as mainstreaming OSH management system into environmental protection in general.

From 2005 to 2015, with the attention for developing investment of VGCL, the Institute has successfully completed 4 projects to strengthen research capabilities, including: 3 projects building technical infrastructure, 1 project strengthening scientific and technical equipment. These projects have contributed to improving the quality of laboratories appropriate to national standards, particularly the system of biochemical laboratories of Occupational Health Centre equipped with synchronous system could be considered as the first system of laboratories in Vietnam that is capable of studying the effects of the working environment on occupational health, studying for finding and additional recommending new occupational diseases to supplement to the existing list of insured occupational diseases. Currently, the Institute is building the laboratory for testing personal protective equipment that meets VILAS standards with qualified system for testing, assessing and validating safety equipment and personal protective equipment.

In the field of OSH training, the Institute has compiled and published several quality training materials, specific books and brochures introduced OSH legislation. In the past 10 years, 2,882 training courses on OSH and environmental protection, occupational health, first aid for working accidents and ergonomics have been organized by

the Institute for 125,800 participations including managers, trade union officials and workers of production facilities. Occupational health examinations activity from 2012 to 2015 has made a drastic change in quality. Annually, about 30,000 examinations of occupational diseases and periodic health examination for workers have been conducted by the Institute. With these results and achievements in research and application of science and engineering of OSH and environmental protection in the last 10 years (2005-2015), the Institute has contributed to promote actively labour protection activities of

trade union organisations in the new situation.

Noting the efforts of NILP, the Party and State have awarded the Institute many honor awards including the 2nd Class Independence Medal (2006) and the 1st Class Independence Medal (2011). In addition, NILP also received Emulation flags, Merit certificates of VGCL, Ministry of Science and Technology, Ministry of Natural Resources and Environment, and many innovation certificates; national awards, gold medals, the gold cups for the quality of scientific and technological at home and abroad.

It can be affirmed that, during 45 years, the NILP has undergone critical turning points, continuously grown and developed in all aspects, meeting the increasing demand for improving OSH activity. Today, in the context of industrialization, modernization and international integration increasingly and broadly, it requires NILP to better endeavor and develop in order to be not only country-leading in scientific and technical research for labour protection and employees' health care, but also at regional level, worthy of the stature and reputation of Vietnam trade union.

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## Launching Ceremony of the 18th National Week on Occupational Safety and Health, fire & explosion prevention 2016

*Nam Duong*

*In the morning of March 20th, 2016 at the Convention Center in Hung Yen Province, the Steering Committee for the National Week on OSH, fire & explosion prevention launched the 18th National Week on OSH, fire-explosion prevention 2016 with the theme "Business and labourers actively implement the right and responsibilities in accordance with the OSH Act". Attending the launching ceremony were Mr. Vu Duc Dam - Member of the Party Central Committee - Deputy Prime Minister, Mr. Dang Ngoc Tung - President of Vietnam General Confederation of Labour (VGCL), Mr. Truong Quang Khanh - Deputy Minister of National Defence, Mr. Doan Mau Diep - Deputy Minister of Labour-Invalids and Social Affairs and the representatives of ministries, departments, agencies, central and local unions, the International Labour Organization (ILO) in Hanoi, the International Section of Social Security Association on Mining Prevention (ISSA-Mining) and a great number of workers in the Province.*

Speaking at the launching ceremony, Deputy Minister of Labour-Invalids and Social Affairs, Mr. Doan Mau Diep emphasized that in 2015, the work of OSH, fire & explosion prevention continues to receive the attention of industries and government levels, the participation of agencies, organizations, businesses and employees. The contents and proactive solutions of preventing occupational accidents and diseases were informed, disseminated and widely practiced; Work-Safety culture was initially formed in the agencies, organizations, enterprises and employees. The activities of training OSH, controlling devices with stringent requirements for OSH have been implemented with the participation of private organizations providing training and controlling services; activities of inspecting, checking are enhanced with the involvement and collaboration of all branches of labor - invalids and social affairs, health, police and trade unions contributing to the prevention of occupational accidents and diseases.

However, in 2015, more than 7,600 working accidents have occurred nationwide causing 666 deaths; and 1,704 people seriously injured. There are sever-



**Deputy Prime Minister Vu Duc Dam awards Certificate of Merit for teams and individuals who have outstanding achievements in OSH, fire-explosion prevention in 2015. Photo by QD.**

al causes of working accidents, but 53% of working accidents caused by unsafe working processes and methods while occupational safety training for employees were not organized, as well as inappropriate working organization, and lack of personal protective equipment; 19% was due to employees violating work-safety processes and regulations, or/and not using personal protective equipment; 28% of accident cases were due to other causes. Also in 2015, more than 2,000 cases of fires have occurred across the country which killed 90 people, injured 143 people, damaged more than 1,300 billion VND and more than 1,300 hectares of forest. Besides, through the periodic health examination of more than 17 thousand employees throughout the country, it was discovered that nearly 9,000 people were suspected of carrying occupational diseases.

In 2016, OSH and fire-explosion prevention will focus on four

key tasks: ministries, branches, localities and enterprises are to actively develop and promulgate specific programs and action plans in the spirit of Directive 29-CT/TU dated on September 18th, 2013 of the Central Secretariat; to strengthen and develop Work-Safety culture, OSH and fire-explosion prevention measures at work, to promote training activities, controlling risk assessment in order to proactively prevent occupational accidents and diseases, and fire-explosion incidents, to continue diversifying the forms of OSH propaganda, considering OSH and fire-explosion prevention is regular work of each production shift, every working day of all weeks, months in the year; employees should actively, voluntarily and strictly respect regulations and implement measures to prevent occupational accidents and diseases, fire and explosion, improve working conditions in enterprises, equip health and life self-protection skills to bring happiness

for families, contribute to the development of enterprises and society; branches and localities should strengthen inspection and examination activities on OSH, fire-explosion prevention, especially in sectors with high risk, in small and medium enterprises, craft villages.

Launching the 18th National Week on OSH, fire-explosion prevention in 2016, Deputy Prime Minister Vu Duc Dam emphasized that the State encourages enterprises to develop business, but also requires enterprises to be aware of responsibility in ensuring safety for employees. State agencies should focus on advocacy, leadership, direction and inspection with regard to enforcement of working legislation of business. It should resolutely punish and publicize a list of enterprises that violate legislation on labour, fire prevention and fighting.

At the launching ceremony, Mr. Nguyen Van Phong – Chairman of Hung Yen Provincial People's Committee on behalf of the whole province's employees has committed to strictly implement the work of ensuring OSH, fire-explosion prevention. A representative of ILO and Chairman of ISSA - Mining shared OSH, fire-explosion prevention and control experiences from advanced countries and associations.

Ending the ceremony, Deputy Minister of Labour-Invalids and Social Affairs Mr. Doan Mau Diep handed souvenir flags for Hung Yen province and honor flag for Hanoi city – the locality that will hold the launching ceremony of action month on OSH 2017.

In the series of activities in

response to the 18th National Week on OSH, fire-explosion prevention, on the 19th March, Vice President of VGCL, Mr. Mai Duc Chinh and the leaders of Provincial Labour Federation visited and gave gifts to 5 workers currently living in Hung Yen Province. At the visited places, the delegation has graciously inquired the situation of health, life, living and jobs, shared difficulties, and encouraged families to overcome difficulties and stabilize their life.

In the framework of activities in response to the National Week on OSH, fire-explosion prevention 2016, in Hung Yen Province, VGCL and Ministry of Labour-Invalids and Social Affairs have also organized many activities such as: the Contest "Good OSH Activists in Hung Yen Province"; the Conference to review 10 years of the Resolution 5b on boosting labour protection activities of trade unions in the new situation and 20 years of the movement "Green - Clean - Beautiful,



**President of VGCL Dang Ngoc Tung and Deputy Minister of Labour-Invalids and Social Affairs Doan Mau Diep award flags to enterprises with outstanding achievements in OSH, fire-explosion prevention in 2015. Photo by QD.**

Ensuring OSH"; Launching Ceremony of the inspection campaign 2016 and training for regional inspectors on inspection by Campaign 2016.

The 18th National Week on OSH, fire-explosion prevention is the final one to be held in provinces. Since 2017 – the year of implementation of new provi-

sions of the OSH Act, this will be the first year to organise "Action Month for OSH", aiming to bring OSH to the next level, which is building an OSH culture, proactive prevention of occupational accidents and diseases instead of focus on solving the consequences.

## DEVELOPMENT PROCESS OF OCCUPATIONAL SAFETY AND HEALTH LEGISLATION IN VIETNAM

*MSc. Nguyen Thu Hang  
National Institute of Labour Protection*

### **Preamble**

*Legislation on occupational safety and health (OSH) plays an important and prerequisite role for OSH activities in Vietnam. The respect and permanent efforts ensuring safety, health and life for employees is one of the leading policies of the Party and State. Therefore, since the foundation in 1945, the Party and State have always been interested in and issued legal provisions relating to OSH. The development process of the OSH legislation has undergone several periods according to each stage of socio-economic development of the country. At each period of development, OSH legal system in Vietnam has changed accordingly. The year 1995 was considered a landmark of law on OSH in Vietnam when the Labour Code including the 9th Chapter on OSH was enacted. The year 2015 was also a historic milestone in the development of legislation on OSH when OSH Act was approved by the National Assembly. Therefore, this article will present the development of legislation on OSH in Vietnam in two phases: the period 1945-1995 and the period from 1995 to present (2015).*

## 1. Concept of OSH legislation in Vietnam

Legislation is a system of rules of conduct which issued or recognized by the state and ensures implementation to regulate social relations in order to achieve certain goals. The legal documents on OSH express lines and policy views of the Party, the State on OSH. OSH legislation manifests the guarantee of legitimate rights and interests of the majority of working people in production and trading activities in general. We can say "OSH legislation in Vietnam is a system of laws, bylaws regulating the guarantee of OSH; policies and regimes for those who suffer occupational accidents and diseases; responsibilities and powers of organizations and individuals related to OSH and state management of OSH "

## 2. OSH legislation in Vietnam in the period 1945-1995

OSH had been valued and directed by the Party, President Ho Chi Minh and the State from the establishment of the country (1945). The life of the working people was concerned and expressed in the legislative managing documents. Based on the Constitution 1946, the State of Vietnam Democratic Republic has built the preliminary legal documents relating to OSH. On March 27th, 1946 President Ho Chi Minh issued the Decree No. 36 on the establishment of the Ministry of Social Affairs. After having established the State management agency on labour including OSH, the President issued Decree No. 29 dated March 12th, 1947. This is one of the first and important decrees to establish a mechanism for state management of labour which has a number of articles relating to

OSH. The decree includes 10 chapters and 187 articles in which there was a separate chapter, Chapter VI, on Hygiene and security for labours (employees).

In 1955, based on the goal of economy recovery and development, and of solidarity struggling to reunite the country, Prime Minister Mr. Pham Van Dong issued Provisional Statute No. 646-TTg dated December 27th, 1955 providing the relationship adjustment between workers and factory owners in private enterprises. Provisional Statute consists of 4 chapters and 31 articles in which clearly stated the rights and obligations of workers and factory owners.

One of the first documents that has high legal level related to employees and having provisions related to OSH was the Trade Union Law that was enacted in 1957 (valid until 1990). Trade Union Law stipulates the rights and duties of trade unions in protecting the rights of workers and employees in state-owned and private enterprises, in offices as well as in construction sites and factories.

During the period after 1959 until before the renovation period (1986), the country was building and implementing the mechanism of central and subsidized economic management, the private sector was generally not developed. Therefore, the legal documents relating to OSH mainly included provisions for state-owned manufacturing business. On the basis of the Constitution 1959, the state continued to strengthen and develop OSH legislation. On December 18th, 1964, the Council of Ministers issued Decree No.181/CP stipulating provisional regulations on labour protection.

Experiencing a 30-year war for independence and national liberation, the country was completely liberated in 1975. The Socialist Republic of Vietnam needed a new constitution. Thus, Constitution 1980 was enacted. On the basis of Constitution 1980, succeeding the previous provisions, the State has issued a number of regulations on OSH in line with the new conditions. February 22nd, 1984 the Chairman of Council of Ministers issued Directive No.70/CT on strengthening leadership and direction the implementation of labour protection activities. The country has entered a period of innovation in 1986, developed the economy or commodity components according to market mechanisms, with State' administration, in accordance with socialist orientation.

The production activities had many dramatic changes both in quantity and in quality. In this situation, since 1985, the Ministry of Labour, Invalids and Social Affairs has coordinated with Vietnam General Confederation of Labour and the Ministry of Health to draft ordinances on labour protection. The ordinance has taken effect from January 1<sup>st</sup>, 1992. The ordinance consists of 10 chapters and 46 articles defining the principles of OSH organization and technical measures to prevent occupational accidents and diseases, defining state management responsibilities of sectors, levels and social organizations in the field of labour protection.

After the Labor Protection Ordinance was enacted, a series of directives and circulars, inter-ministerial circulars were issued to guide implementation of the ordinance. The Directive No. 359/HĐBT-CT dated January 4th,

1991 issued by Chairman of the Council of Ministers on the implementation of the Labor Protection Ordinance; Directive No. 20/TLD-CT dated November 20th , 1991 of VGCL on the implementation of the Labor Protection Ordinance in trade unions at all levels; Inter-ministerial circular No.17/LB-TT dated December 26th , 1991 of the Ministry of Labour, Invalids and Social Affairs, Ministry of Health, VGCL guiding implementation of Labour Protection Ordinance.

### 3. OSH legislation in Vietnam during the period from 1995 to the present (2015)

Since the Constitution 1992 was enacted, with many changes of the country after the renovation period, activities related to development and promulgation of laws in general and OSH legislation in particular has gathered significant attention from the Party and the State. On the basis of the Constitution 1992 and the Article 56 that affirmed "The State shall enact labour protection policies and regimes", the Labour Code was enacted in 1994 and took effect from January 1st , 1995. The Labour Code devotes Chapter IX of 14 articles to regulations on OSH issues. Articles from 95 to 108 stipulate the responsibilities of employers, employees and regulations on occupational accidents and diseases, etc. Through each development stage of the country in general and production activity in particular, the Labour Code was amended and supplemented in 2002, 2006 and 2007. In the revised Labor Code 2007, Chapter IX on OSH still includes 14 articles from article 95 to article 108. Facing conditions of objective reality of production activities that are growing con-

stantly and increasingly diverse; facing conditions of increasingly deeper and broader integration, the Labour Code enacted in 2012 and entered into force on May 1, 2013 posed many changes of OSH regulations in Chapter XI. From 14 articles of the previous code, the regulations on OSH have increased to 20 articles (from Article 133 to Article 152). This shows the importance of OSH in our country as well as the interest of the State in OSH activities in order to ensure the safety, health and life for employees.

In addition to legal documents directly regulating on OSH field, many other legal documents include also some articles related to OSH activity or OSH policies, Trade Union Law has rules on rights and responsibility of trade unions in OSH; Protection of People's Health Law, Environmental Protection Law, Fire Prevention and Control Law; Construction Law, Chemicals Law, Electricity Law, Minerals Law, Cooperatives Law, Vocational Training Law, Social Insurance Law, Health Insurance Law, Law on sending Vietnamese laborers to work overseas, Law on standards and technical regulations, Law on Quality of goods; Criminal Code, etc.

On the basis of provisions of the Constitution and the Labor Code, the legislation was enacted by the Government and the ministries assigned to OSH state-management; the ministries assigned to OSH branch-management and the VGCL issued sub law legal documents, resolutions and directives to regulate in detail a number of articles of the Code or detailed instructions on some contents of the Code.

Ever since the Labour Code came into effect, the Government has issued Decree No. 06 CP

dated January 20th , 1995 providing details of some articles of the Labour Code on OSH. By 1999, due to a number of requirements relating to declaration, registration and license for using different kinds of machines, equipment, supplies and substances with strict conditions on OSH as well as requirements for the investigation of labour accidents, OSH inspection in the field of radioactivity, oil and gas exploration and exploitation, etc, the Government has issued Decree No. 162/1999/ND-CP dated November 9th , 1999 on amending and supplementing some articles of Decree 06/CP dated January 20th , 1995 stipulating in detail a number of articles of the Labor Code on OSH.

In 2002, the Government continued to amend Decree No.06/CP by Decree No. 110/2002/ND-CP dated December 27, 2002. This Decree emphasizes the building of feasibility report on measures to ensure OSH at manufacturing facilities; carrying out the registration and inspection of equipment and machinery that needed strict requirements on OSH, compensating for victims that suffer from occupational accidents and diseases, etc.

Because OSH is associated with general production activities, activities ensuring OSH have always been adjusted to keep up with the growth of economy, production and trading. The Government has always been interested in safety, health and protection of life for employees that at each stage the Prime Minister has directives to strengthen leadership and organize implementation of OSH, such as Directive No.13/1998/CT-TTg dated March 26th , 1998 on strengthening



leadership and organizing implementation of labour protection in the new situation; Directive No. 20/2004/CT-TTg dated June 8th , 2004 on strengthening leadership and organizing implementation of OSH in agriculture; Directive No. 10/2008/CT-TTg dated March 14th , 2008 on strengthening implementation of labour protection, labor safety; Directive No. 18/CT-TTg dated June 6th , 2008 on strengthening management and correcting mining activities in quarries to ensure safety in mining.

Following proper guidelines and policies of the Party and the State on strengthening OSH legislation in Vietnam, according to the roadmap, OSH Act had been approved by Vietnam National Assembly on June 25th , 2015. This has marked an important step in the development and promulgation of legislation on OSH. OSH Act includes 7 chapters and 93 articles stipulating in detail OHS issues in Vietnam. Subjects of application of OSH Act could be extended according to actual requirements. The issues of rights and responsibili-

ties of organizations and individuals related to ensuring OSH are provided in the law. The contents related to OSH state management, responsibilities of ministries, People's Committees and Councils on OSH at all levels, etc, are indicated in the OSH Act.

#### **4. Some comments on the development and promulgation of legislation on OSH in Vietnam in the coming period**

On the basis of the OSH Act that was adopted and entered into force on July 1st , 2016, in order to legislation on OHS in Vietnam be implemented effectively and efficiently, it should note the following points:

Firstly, to urgently develop and promulgate detailed regulations and guidelines for implementation of contents of the OSH Act. Currently, in the OSH Act, there are 93 articles but 20 articles will be regulated in detail by the Government. Therefore, at the time of the OSH Act taking effect, the sub law guiding documents should also be developed and issued for the enforcement of OSH Act to be workable and effective.

Secondly, to continue to develop and promulgate clear regulations on organizational systems, activities and responsibilities of state management and contents of OSH state management. It is necessary to strengthening inspection system, and establish a specialized inspection system for OSH to promote OSH Act enforcement.

Thirdly, to develop and promulgate regulations on OSH in favor of prevention activities, risk management and clarification of responsibility of enterprises' heads, responsibility of employers in investing for OSH; ensuring that employees should work in a decent workplace through programs and plans on safety culture, prevention culture at enterprises.

Fourthly, to develop and promulgate specific regulations on reward and sanction of violations of OSH legislation. This is one of many necessary and important measures for the State management activities in general and state management on OSH activities in particular.

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## **Information on status of occupational accidents and diseases in 2015**

In 2015, across the country 7,620 working accidents have occurred with 7,785 victims, of which there are 629 fatal cases; 79 cases with two or more victims; a total of 666 deaths; and 1,704 people seriously injured.

The above figures were informed by the Ministry of Labour - Invalids and Social Affairs in a press conference on the status of working accidents and occupational diseases held

on March 4th, 2016 in Hanoi.

According to incomplete reports from the 63 Department of Labour - Invalids and Social Affairs, in 2015, in the areas where existing labour relations nationwide, there were 629 fatal working accidents, but as of February 15th, 2016, the Ministry of Labour - Invalids and Social Affairs only received 238 investigation reports (261 deaths). Compared to 2014, the number of female worker victims rose by

13.9% , the number of working accident cases rose by 6.2%, the total number of victims rose by 12.2%, the number of deaths rose by 5.7%, the number of fatal accident cases rose by 12.3%, the number of people seriously injured rose by 10.4%. The number of accident cases involving more than 2 victims decreased by 54%. Especially the number of working accident cases in Dong Nai province in 2015 increased by 52% compared to 2014.

*Tran Thi Dong*

In analyzing fatal accident investigation reports, the construction industry topped the list of areas that has the most fatal working accidents, followed by mechanical engineering, services, transport and cargo handling, mining sector, agriculture and forestry sectors, etc. Notably, the main injury factors causing fatality were falls (accounting for 28.1% of total cases); electrocution (accounting for 18.9%); falling objects and collapsing (accounting for 16.8%); traffic accidents (accounting for 13%); machinery, rollers, clamping and scrolling devices (accounting for 6%); splashed materials (accounting for 7.1%).

The main reason leading to this situation is employers do not build safe working processes and methods, use unsafe equipment, or do not organize occupational safety training for employees, etc. Besides, the fact that employees violating working process and labor safety regulations, or not using personal protective equipment is also a cause leading to many unfortunate accidents.

In the field of occupational hygiene, 8,966 cases of occupa-



tional diseases were diagnosed, mainly including silicosis (1,369 cases), byssinosis (56 cases), occupational bronchitis (127 cases), coal dust anthracosis (5 cases), lead and lead compounds poisoning (181 cases), occupational pesticide poisoning (16 cases), occupational TNT poisoning (185 cases), occupational deafness (6,567 cases), etc. 636 cases were appraised (accounting for 45.6% compared to 2014), including 385 cases eligible for one-time allowance and 158 cases for regular allowance.

Regarding the status of fire and explosion in 2015, across the

country there were 2,792 fires and 35 explosions, including 1,101 fires at enterprises, 1,121 fires at private houses, 182 fires at traffic means and 388 forest fires, damaging the property of more than 1,500 billion VND.

With the desire to raise awareness and responsibilities of employers as well as employees, the National Week for Occupational Safety and Health, fire-explosion prevention was launched in Hung Yen Province with the topic "Business and labourers actively implement the right and responsibilities in accordance with the OSH Act".

## **Vietnam General Confederation of Labour continues to promote the labour protection activities of trade unions**

*Bui Thi Xuan Dai*

**F**unctioning to represent and protect the legitimate rights and interests of employees, trade unions have many practical and concrete activities contributing actively to labour protection, confirming the role and responsibility of trade unions for employees. However,

occupational safety and health (OSH) and fire - explosion prevention activities have not yet met requirements; working conditions in many enterprises are not improved, the incidence of occupational accidents and diseases is tending to increase.

To meet the increased require-

ments of labour protection, ensuring OSH for employees in the process of industrialization and modernization of the country, while improving accountability and efficiency of labour protection activities at all levels of unions, in 2005 the 9th Executive Committee of Vietnam General

Confederation of Labour (VGCL) issued a resolution on "Stepping up the labour protection of trade unions in the new situation".

After the resolution was issued, the Presidium of VGCL had documents to direct and guide the unions to disseminate the content of Resolution to the unions at all levels, and implement training on Resolution for the leaders and officers in charge of labour protection activities of provincial and city labour federations, sectorial unions at central level, corporation unions affiliated to VGCL.

In 10 years, the VGCL and trade unions at all levels have joined with authorities to develop new or amended several laws, guidelines and policies on labour protection such as the Constitution 2013, the Labour Code 2012, Trade Union Act 2012, the Social Insurance Law 2014 and particularly the OSH Act 2015; the VGCL has issued guidelines for trade unions at all levels to conduct reviewing and assessing 18 years of OSH Act enforcement since the Labour Code was enacted in 1994, and at the same time to orient all levels of trade union on views and opinions of trade unions in order to create consensus while consulting on the development of OSH Act, etc.

According to incomplete statistics, in the last 10 years, trade unions have carried out independent inspection and supervision on labour protection activities in more than 16,050 establishments (prior to the Trade Union Law promulgated in 2012), and in coordination with related state agencies have checked 95,459 establishments; grass-roots trade unions in coordinating with employers organized them-

selves 58,532 investigations on labour protection; organized scoring examination for the movement "Green - Clean - Beautiful, Ensuring Occupational Safety and Health" of 1,053 business. In the past 10 years VGCL has conducted investigation and guided the implementation of regulations on labour protection in more than 700 establishments.

Through coordinated supervision and inspection of labour protection, it has shown tens of thousands of outstanding issues in the implementation of regulations and policies on labour protection, and risks associated with lack of OSH leading to working accidents and occupational diseases; it has given recommendation and guided establishments to implement OSH, at the same time synthesizing recommendations, suggestions of establishments to engage with state authorities in promulgating new OSH legal documents, technical standards, technical regulations or amending, supplementing existed OHS legal documents, technical standards, technical regulations, working processes and methods.

After 10 years of implementation, the Resolution has contributed to enhancing the role and responsibilities of trade unions at all levels in improving working conditions for employees and to meeting the requirements of increasing labour protection in the new situation, empowering unions in caring about and ensuring safety and health for employees.

However, according to the development trend, the number of small and medium enterprises will increase, many low capital business and production units will have been using obsolete and old equipment, not ensuring safe-

ty and polluting the environment; the number of low-educated, low-skilled and untrained employees is still high; there are still employers who lack knowledge of labour legislation and labour protection or just focusing on profits and less concerning in the life and working conditions of employees. OSH Act 2015 has enhanced the role and position of the trade unions in ensuring OSH for their members and employees, but also poses bigger responsibilities and challenges for trade unions in ensuring the safety of life and health of union members and employees. Considering the international integration process becoming wider, deeper and more comprehensive, Vietnam participates and fulfills its commitments of the Convention on OSH of the International Labour Organization, especially Vietnam participates in the Trans-Pacific Partnership (TPP) in which there are regulations on working conditions, safety and health of employees used as non tariff technical barriers. So it requires Vietnam unions to reform and strengthen capacity of system and officials in charge of OSH in order to implement the task of representing and protecting the legal rights and benefits of employees working in good condition and ensured OSH.

Therefore, VGCL identifies in the future, all levels of trade unions should: pay attention to and must be fully aware of the position and role of labour protection of trade unions, considering that is an important content in performing their functions and duties; strengthen the cooperation between trade unions at all levels with the authorities, professionals in labour protection activities; strengthen, train and

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### EDITORS

**Chief Editor:** PhD. Do Tran Hai  
**Editor:** BA. Tran Bich Ha  
 Eng. Bui Thi Xuan Dai  
**Creative:** BA. Pham Van Chinh

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*The panorama of the conference*

improve the capacity and operating efficiency of the system and staff working in the field of labour protection of trade union system; promote, improve the quality of mass movements engaged in labour protection, building a safety culture in workplace.

VGCL also set out a number of tasks and solutions to promote OSH of trade unions in the near future, such as: step up the information, propaganda, mobilization activities for union members, employees and training staff working for labour protection at all levels of the trade union; Promote mass movement to work for labour protection; The trade unions at all levels promote coordination with state agencies in development of laws, checking and monitoring the implementation of laws, regulations and policies on labour protection; Consolidate and strengthen union staff working for labour protection at all levels of the trade union; Strengthen research and application of labour protection science and technology, OSH innovations and solutions.



*Participant gives speech at the conference*

VIETNAM GENERAL CONFEDERATION OF LABOUR  
 NATIONAL INSTITUTE OF LABOUR PROTECTION  
 CIS/ ILO Collaborating Centre

Address: N° 99 Tran Quoc Toan Str., Hanoi - N° 216 Nguyen Trai Str., ThanhXuan, Hanoi, Vietnam  
 Tel: (844) 38220260, 85856284 - Fax: (844) 38223010 - Email: vienbaoholaodong@nilp.vn; Website: www.nilp.vn