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Viet Nam

INTERMINISTERIAL ORDER NO.9 TT/LB OF 13 APRIL 1995

(Order No. 9 of 1995)

Stipulating harmful working conditions and list of occupations in which employment of young workers is prohibited.

Pursuant to Article 45 of the Labour Code dated 23/6/1994

In order to ensure full physical, intellectual development and personality and to ensure occupational safety of young workers, MOLISA and MOH stipulate harmful working conditions and a list of occupations in which employment of young workers is prohibited

A. SUBJECTS AND SCOPE OF APPLICATION

The following undertakings, agencies and organizations shall not employ young workers in harmful working conditions and in the occupations stipulated in this Circular:

State - owned undertakings

Undertakings in other economical sectors, organizations and individual employers

Undertakings with foreign invested capital, undertakings in export processing Zones and industrial Zones; foreign agencies, organizations or international organizations operating in Vietnam and hiring Vietnamese workers.

Public businesses and services belong to, administrative bodies, political and social organizations, enterprises of the people's army and people's security forces.

B. HARMFUL WORKING CONDITIONS IN WHICH EMPLOYMENT OF YOUNG WORKERS IS PROHIBITED

1. Heavy work (average energy consumption is over 5 Kcal/ minute and average heart beat is over 120 minute.)
2. Working in uncomfortable position or in place lacking oxygen
3. Having direct exposure to chemicals that may cause gene damage, adverse affect on cell metabolism, bad effects on reproductive functions (such as testicle

insufficiency : ovary insufficiency) cancer as well as occupational diseases.

4. Working in contact with harmful elements that may cause infectious diseases;
5. Working in contact with radioactive substances (including radioactive machines)
6. Working in contact with electromagnetic field exceeding the permitted standards.
7. Working in the workplace with vibration exceeding the permitted standards .
8. Working in workplaces having the temperature over 45oC in the Summer and 40oC in the winter or workplaces being affected by high thermal radiation.
9. .Working in workplaces with pressure higher or lower than the atmospheric pressure;
10. Working in mines;
11. Working in high and sheer workplaces;
12. Working in workplaces unsuitable for young worker's mental and psychology;
13. Working workplaces that may have bad effects on the development of young workers' personality.

C. LIST OF OCCUPATIONS IN WHICH EMPLOYMENT OF YOUNG WORKERS IS PROHIBITED.

1. A list of occupations prohibiting the employment of young workers (see Appendix) is promulgated as an attachment to this Circular.
2. These Ministries and branches shall report to the MOLISA and the MOH. about working places holding harmful working conditions and occupations that are not listed in the attachment to this Circular for consideration, with the purpose of amendment and supplement to the list

D. IMPLEMENTATION

1. The Departments of Labour, Invalids and Social Affairs and Departments of Health of provinces and cities under the central government in collaboration with Trade Unions shall enhance the supervision activities on the implementation of this Circular in undertakings within their localities.
2. Occupational Safety inspectors and Occupational Health Inspectors shall enhance their inspection of undertakings employing young workers to discover violations of the regulations and to take measures against these violations

according to the law.

3. Based on the list of harmful working conditions and occupations stipulated in this Circular undertakings organizations, individual employers , shall promptly take the following measures:

a) Review all the occupations are currently done by young workers in their workplaces. Based on the result of this review, the employer shall rearrange the employment of young workers that is suitable with their health. Within 2 months from the date when this Circular takes effect, all young workers should be released from harmful working conditions and occupations stipulated in this Circular.

b) Keep a separate record of young workers with full their full names, date of birth, work assigned; and arrange health examination before recruitment and periodical health checks.

This Circular shall be effective from the date of its signature.

FOR THE MINISTER FOR THE MINISTER OF MOH VICE MINISTER Le Ngoc Trong	FOR THE MINISTER FOR THE MINISTER OF MOLISA VICE MINISTER Le Duy Dong
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Appendix:

LIST OF OCCUPATIONS PROHIBITING THE EMPLOYMENT OF YOUNG WORKERS

(Attachment to Circular No 09 dated 13/4/1995 stipulating harmful working conditions and list of occupations prohibiting the employment of young workers)

1. Direct boiling, pouring and transporting hot melted metal, disassembling moulds and cleaning molded products

- Arch electric kiln (irrespective of capacity)
- Horizontal steel refining kiln
- Car tunnel steel kiln
- Blast furnace
- Rotary kiln (for pig-iron)

2. Rolling hot metal.

3. Refining non-ferrous metal ore (bronze, lead, tin, mercury, zinc, silver)

4. Firing kiln for refining coke

5. Firing steam engines
6. Welding in air-tight tank, welding over 5 meters above the ground
7. Digging wells in mines
8. Digging mines and doing other work in mines or working in deep holes over 5 meters deep
9. Hewing rock on mountains
10. Installing oil rigs
11. Working on off-shore oil-rigs (except for health and social services)
12. Drilling for oil and gas wells.
13. Drilling to explore, drilling holes for mines, lighting mines
14. Using portable steam machines having a pressure of 4 atmospheres and over (drilling, hammering machines).
15. Driving motor vehicles
16. Operating bridge cranes, cantilever cranes, portal cranes and electric hoists (except hand chain hoists)
17. Hooking or attaching loads to bridge cranes, cantilever cranes, portal cranes and electric hoists.
18. Operating lifts for passengers with goods; or goods lifts; lift trucks.
19. Driving heavy duty trucks such as excavators, bulldozers, $\frac{1}{2}$
20. Driving farm tractor
21. Operating mud dredges
22. Operating boilers
23. Operating fiber-starching machines
24. Rolling hard and large leather pieces
25. Conducting river surveys
26. Underwater concreting
27. Diving
28. Working in submerged tanks.

29. Working in planes
30. Repairing electric lines in underground sluices or on open-air power line poles, high-voltage power lines; installing high voltage power line poles.
31. Installing, repairing underground or suspension communication cables
32. Uprooting trees having a diameter of over 40cm
33. Felling big trees; cutting high branches
34. Transporting big trunks of wood; loading and unloading them by hand
35. Floating rafts on rivers with many waterfalls
36. Feeling, catching and lifting timber from under the water by hand, gathering and -rolling timber overshore.
37. Sawing by hand
38. Working in scaffold, or working in saddle scaffold that is located higher 5 m, or other similar occupations
39. Assembling, disassembling and repairing scaffolds.
40. Exploiting sallagane nets, bat manure
41. Working on ocean-going ships
42. Guarding ships near sheer rocky shores
43. Working alone on railways; in tunnels in mountain; in underground constructions; in places reducing eyesight to under 400 meters; or in inaccessible places.
44. Moving carriages in garages or on railways
45. Operating disk or annular sawing-machine
46. Feeding or operating rock-grinding machines
47. Operating planing machines
48. Operating or metal processing with compression, team pressure or electric forging, striking, pressing and cutting machines
49. Installing, repairing, cleaning all kinds of compression, team pressure or electric forging, striking, pressing and cutting machines
50. Working in ship-building involving handling loads over 30kg.

51. Load handling limits;

Age groups	On and off Handling	Continuous handling
From 15 years (180 months)	Female: 12 kg	8 kg
to under 16 years (192 months)	Male: 15 Kg	10 kg
From 16 years (192 months)	Female: 25 kg	15 kg
to under 18 years (216 months)	Male: 30 Kg	20 kg

52. Operating or being on duty in low, medium or high voltage power stations

53. Checking, repairing or fixing 700v direct or 220 alternating current circuits

54. Lighting oil burning machines consuming 400 liters per hour

55. Manufacturing, using, transporting dangerous substances such as explosive materials, inflammable substances, oxygen, gas, guns, ammunition and fire-crackers very likely to cause explosion and fire;

56. Operating acetylene, oxygen, hydrogen, chlorine and other liquefied gases processing and bottling systems;

57. Operating freezing systems (ice producing and congealing).

58. Working in Workplaces where the amount of dust, rock or cement powder, coal dust, animal hair exceeds the permitted standards;

59. Repairing kilns, air-tight towers and pipes conducting chemicals;

60. Working in tobacco fermenting and cigarette drying kilns;

61. Burning glass melting kilns and blowing glass by mouth.

62. Rinsing paraffin in alcohol tanks

63. Working in contact with gasoline in cellars, such as receiving, delivering, maintaining, operating petrol pumps and petrol gauges

64. Sorting out lead minerals.

65. Laminating, pulling and striking lead products or lead-plated products,

66. Vulcanizing, forming and handling .big sized rubber products in, such as big fuel tanks and containers, motor car tyres;

67. Working in contact with organic solvents such as embalming sleepers laying

emulsion of photographic paper, printing patterns on thin materials, printing labels on thin and smooth paper, laminating phenol plastic, operating phenol glue multi-condenser pots;

68. Dredging underground sluices; working in dirty water.

69. Burning down and killing cattle;

70. Operating on dead body, preparing dead body for coffin, burying and exhuming graves

71. Working in prisons or in mental hospitals;

72. Working in pubs, dance halls, or working in entertainment services;

73. Feeding wild beasts and poisonous animals;

74. Working in workplaces affected by radiation, X-ray and other harmful rays.

75. Working in radio, TV radar and telecommunication stations;

76. Working in direct contact with chemicals causing gene damage such as

- 5 Fluoro-uracil
- Benzene

77. Working in direct contact with chemicals causing harm to reproductive functions such as:

- Estrogen;
- Axial cis retinoid;
- Carbaryl;
- Dibromuaclo propan (DBCP);
- Toluene diamine and dinitrotoluene;
- Polychlorin biphenyls (PCBs);
- Polybromua biphenyls (PBBs).

78. Working in direct contact with likely-to-cause-cancer pesticides, herbicides containing the following chemical:

- 1,4 butanediol, dimethyl sulphate;
- 4 aminobiphenyl;
- Asbestos (amosite, Crocidolite, Chrysotile);
- Arsenic, Calcium Arsenic;
- Dioxins; - Dichloromethyl ether;
- Precipitate Chromate compounds;
- Coal-plastic and coal-gas;
- Cyclophosphamide;
- Diethylstilbestrol;
- 2 Naphthylamine;

- N. N - di (Chloroethyl) ~;
- 2, Naphthylamine;
- Thori dioxide;
- Theosulpha;
- Vinyl chloride. vinyl chloride;
- 4- amino. IO- methyl folic acid;
- Mercury, methyl mercury compounds, methyl;
- Nitrogen pentoxide;
- 2.3.7.8 tetrachloro dibenzene furan;
- 3- alphaphenyl- heta axetyletyl;
- Axety salicylic acid;
- Asparagine;
- Benomyl;
- Boric acid;
- Cafein;
- Dimetyl sulphuric;
- Direct blue-I;
- Focmamide;
- Hydrocortisone. Hydrocortisone acetate;
- Iodine (metal);
- Lead. acetate lead. nitrate lead (contact with paint petrol ink containing lead producing battery);
- Mercapto. purine;
- Kalium bromua. kalium iodua;
- Propyl- thio- uracil;
- Ribavirin;
- Natrium asenat. natri Arsenic. natri iodua. natri;
- Tetrametyl thiuram disulphide;
- Triamcicolon acetamid;
- Triton WR-1339;
- Trypan blue;
- Valproic acid;
- Vincristine sulphate;
- Vinazol gas.

79. Working in contact with the following chemicals without adequate personal protective equipment to prevent toxic gases, fumes and dust:

- Carbonic oxide (CO): such as operating kilns discharging coal-gas or cinder.
- Dye chemicals with origin of aniline, cylesin, tolusine, auramin;
- Cyanide compounds
- Phosphorus and compounds: P₂O₅, P₂S₅, PCI₃, H₃P;
- Trinitrotoluene (TNT);
- Manganese dioxide (MnO₂);
- Photgein (COCl₂);
- Disulphide carbon (CS₂);
- Nitrogen oxide and nitrogen acid;
- Chlo and.chlohydric acid;
- Anhydrite sulphuric and sulphuric acid;

- Calcium Carbide (CaC₂) such as in operating open Calcium Carbide kilns or disposing cinder.

80. Working in direct contact with pharmaceutical products and their components, which is likely to cause addiction, such as products containing: morphine, ephedrine and seduxent;

81. Working daily in contact with anaesthetics in emergency recovery Departments and infection sections of health services, in centers for intravenous infusions establishments producing vaccines, in health station using short waves and ultra-sounds in treatment or taking part in suppressing epidemics;



International Labour Organization
NATLEX database
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