

Joint Circular No. 29/2000/TTLT-BLDTBXH-BYT dated 28 December 2000  
by Ministry of Labour, Invalids and Social Affairs  
and Ministry of Health

## **Stipulating the list of jobs and occupations prohibited to HIV/AIDS carriers**

Pursuant to Article 22 of the Ordinance on prevention of the Human Immunodeficiency Virus / Acquired Immunodeficiency Syndrome (HIV/AIDS) dated 31 May 1995;

Pursuant to Article 3 of Decree No 34/CP dated 1 June 1996 by the Government guiding the implementation of the Ordinance on prevention of HIV/AIDS;

In an effort to prevent the infection and transmission of HIV/AIDS from the HIV/AIDS carriers to other people through occupational contacts, the Ministry of Labour, Invalids and Social Affairs and the Ministry of Health stipulate the list of jobs and occupations prohibited to HIV/AIDS carriers as follows:

### **I. List of jobs and occupations are prohibited to HIV/AIDS carriers**

1. Health services in which direct contacts with blood and biological juice from the human body occur.
2. Services of orthopedic surgery, aesthetics in which direct contacts with blood and biological juice from the human body occur.

### **II. Implementation**

#### **1. Responsibilities of an employer:**

1.1. Responsibilities of an employer in the undertakings involved in jobs, occupations as stipulated in the Section I of this Circular:

- a) Disseminating and propagating this Circular to employees under its administration;
- b) Not allowed to force employees doing jobs, occupations as stipulated in Section I of this Circular to have health tests to detect HIV/AIDS infection;
- c) Within 3 months since the day receiving announcement from an employee or from the competent health agency, the employer shall arrange another appropriate job for the employee infected with HIV/AIDS and performing jobs and occupations in the list stipulated in Section I of this Circular, or provide vocational training to that employee;
- d) Not allowed to resign the job, cease the labour contract, or discriminate against a worker infected with HIV/AIDS;
- e) Ensuring benefits in terms of salary, social insurance and other policies for HIV/AIDS carriers in accordance with laws;
- f) Keep secret results of positive HIV/AIDS tests of the employee.

1.2. Responsibilities of an employer in other occupations:

- a) Not allowed to resign the job, cease the labour contract, discriminate against a worker infected with HIV/AIDS, or move the HIV/AIDS carrier to other jobs if he/she does not require.
- b) Ensuring benefits in terms of salary, social insurance and other policies for HIV/AIDS carriers in accordance with laws;
- c) Keep secret results of positive HIV/AIDS tests of the employee.

## **2. Responsibilities of workers and self-employers when being informed to be infected with HIV**

a) The workers shall take measures for prevention of HIV transmission to other people, promptly report their employer and voluntarily stop their jobs or occupations as stipulated in Section I of this Circular, and be willing to do a new job on assignment arranged by the employer.

b) Self-employers (individuals, households) shall voluntarily move to other jobs, occupations not included in the list stipulated in Section I of this Circular and take measures for prevention of transmission in accordance with the prevailing laws.

## **3. Responsibilities of health establishments at various levels**

a) Provide consultancy for HIV/AIDS carriers on preventive measures of transmission;

b) For health establishments at the district level and above: promptly inform the employer of the test results in order to take measures for helping the worker in his/her job and provide health care in accordance with laws.

**4. Responsibilities of local State administrative bodies:** Departments of Labour, Invalids and Social Affairs and Departments of Health in central provinces and cities are responsible for implementing and checking, inspecting the implementation of this Circular within their competency and function.

**5.** This Circular comes into effect 15 days since the signing of issuance and replaces Joint Circular No 25/1999/TTLT-BLDTBXH-BYT dated 14 October 1999 by the Ministry of Labour, Invalids and Social Affairs and the Ministry of Health stipulating a temporary list of jobs and occupations HIV/AIDS carriers are prohibited to do.

**Pp. Minister  
the Ministry of health  
vice minister  
Tran Chi Liem  
(Signed)**

**PP. Minister  
The ministry of labour, invalidas  
Andsocial affairs  
vice minister  
Dam Huu Dac  
(Signed)**